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H – 119

International Court of Justice

H0119 – 0001

H0119-0002

Official transcript of the International Military Tribunal in the Matter of The United States of America, the French Republic, the United Kingdom of Great Britain and Northern Ireland, and the Union of Soviet Socialist Republics against Hermann Wilhelm Goering et al, Defendants, sitting at Nurnberg, Germany, on 30 April 1946, 0930 to 1700 hours, Lord Justice Lawrence presiding.

(Mr. Dodd, of the American Prosecution, approached the lectern.)

THE PRESIDENT: Mr. Dodd, were you going to deal with these questions?

MR. DODD: Yes, Mr. President, I am prepared to do so. Shall I proceed to take up those documents over which we have some difficulty?

THE PRESIDENT: If you will, yes.

MR. DODD: Altogether, there are some 118 documents submitted on behalf of the Defendant von Schirach. As a result of our conversations, we have agreed on all but -- I believe the number is twelve.

The first group, Nos. 30, 31, 45, 68, 73,101, 109, 124 and 133, are all excerpts from a book entitled, "Look, the Heart of Europe!" written by a man named Stanley Maclatchie. They are excerpts referring to the Hitler Youth organization, and we do object to them on the ground that they are all irrelevant and immaterial here. They describe Hitler Youth meetings at home and Hitler health programs and Hitler athletic competition and Hitler Youth Land Service and that sort of thing. There are general descriptions by Mr. Maclatchie of some activities of the Hitler Youth organization. They are all, I say, from that same book -- none of them written by the Defendant himself. They were published in 1937.

Then, document 118A is a letter. It is unsigned, except that it is typewritten. It is by Colin Ross and his wife. It appears to be a suicide note setting forth the reasons why Ross and his wife intended to commit suicide. We have been unable to determine its probative value and do not see any probative value in it, in so far as the issues affecting this Defendant are concerned. He apparently was acquainted with the Defendant von Schirach and that is the claim, I assume of Counsel for von Schirach, that it sheds some light on von Schirach's attitude. But it is not clear to us.

The third is 121. This is a quotation from the United States Army

H0119-0003

newspaper, The Stars and Stripes, issue of the 21st of February, 1946. It is about the training of young people in Yugoslavia at the present time. With respect to this we also say we believe it to be immaterial here and not relevant and not bearing on the issues concerning this Defendant as charged in the indictment.

Those three -- the first group and the two, 118A and 121, are the only documents concerning which we have any controversy.

THE PRESIDENT: Eleven.

MR. DODD: I am sorry. I said twelve.

DR. SAUTER (Counsel for Defendant von Schirach): Mr. President, the first group of documents to which the Prosecution has objected are from a book by an American, Maclatchie. This American, as he writes himself in the book, is of Scottish descent, and in the year 1936 -- that was the year of the Olympic Games -- visited Germany, and he was in a position to get himself a picture of conditions in Germany and of the development of the German people during the first years of the Hitler regime, and here he describes the impressions he received.

Normally I would not stress the importance of that book, but the introduction -- the preface of the book -- shows that the man that impelled him to write that book was von Schirach. The Defendant, as he will explain in the course of interrogation here in court, very early in his life began a pleasant and friendly attitude toward the United States, and this book by Maclatchie is one of the many means which the Defendant von Schirach used for that purpose. The author admits in his book himself, in the preface, that the material for the book was received, at least the larger part of it -- from the Defendant von Schirach. And that fact, these proceedings, seems to be important concerning the production of proof for the defense of von Schirach. It lends to the book an entirely different importance than if it had been written independently by von Schirach. Therefore we have to consider the descriptions and impressions of this book as the impressions of the Defendant von Schirach himself. That is the main reason I have submitted the book with the request that I be permitted to quote individual passages, particularly those concerning the youth, in the course of my

H0119 - 0004

presentation.

The other passages in the book would be interesting in themselves, but have less to do with and are not in immediate connection with the youth leadership of the Defendant von Schirach that I have not mentioned, but only a few short extracts which exclusively describe the activity and aim of the Defendant von Schirach and which, besides, will show you gentlemen what impression even a foreigner could gain from this activity, although he had come to Germany already with a certain prejudice and lost that prejudice only after getting his own impressions.

H0119-0005

That, Mr. President, is what I wanted to say to the first group, which the Prosecutor mentioned under Numbers 30 to 33.

The second group is number 118-A of the document book Schirach, and that is the last letter which the explorer Colin Ross left. If the Prosecutor objects to the fact that that letter has no signature, then, in my opinion, that is not particularly important. What we have submitted there is the original copy of that letter, and the original copy was found among the papers of Dr. Colin Ross.

Now, the Prosecution asks, What has that farewell letter by Dr. Colin Ross to do with the defense of Schirach? I ask you to recall that frequently one has spoken here about that Dr. Colin Ross. That is the explorer--I believe he was an American by birth, but I do not know it for sure. That is the explorer who not only for many years was a close friend of Schirach but a man whom the defendant von Schirach used again and again in order to prevent or help prevent the outbreak of a war with the United States, and later, in order to terminate that war and to bring about peace with the United States.

In the course of the presentation of the defense, these points will be clarified in detail, I believe.

THE PRESIDENT: When was it dated?

DR. SAUTER: One moment please. The date is 30 April 1945. I consider the letter important for the reason that here a man, at the very moment before he commits suicide with his wife because he is desperate about the future of Germany, because, I say, the man right in the face of death is again concerned that, together with the defendant von Schirach, he had continuously tried to bring about peace with the United States, and I believe, gentlemen, that--

THE PRESIDENT: Where was he at the time when, as I understand you to say, he committed suicide?

DR. SAUTER: The defendant von Schirach --

THE PRESIDENT: No, no, the man who wrote the letter.

DR. SAUTER: The defendant von Schirach had a small house in Upper Bavaria in the Kurweld am Waldsee, and in that house Colin Ross lived at the time with his wife, and it was in that house which belonged to von Schirach that he committed suicide.

The letter is only one page, and it would not cause any delay in the proceedings if it were read.

H0119-0006

Then, gentlemen, the third group to which the Prosecution objects is again only one number, a comparatively short article from Stars and Stripes. That is Number 121, and that number, which I shall submit in the original in the course of my presentation, is of 21 February 1946; that is, of this year. It explains in detail how the education of youth is re-organized now in Jugoslavia by Marshal Tito, and the defendant von Schirach stresses the importance of this document because it proves that in Jugoslavia a definitely military education of youth has been started this very year. The defendant von Schirach therefore desires to make a comparison between the kind of youth education which he was in charge of and the Jugoslavian education of youth which has been decided upon this year and which goes much further than did the program of the defendant von Schirach at any time.

That is all.

MR. DODD: Mr. President, may I make just one or two short observations? I realize that ordinarily the Tribunal does not want to hear from Counsel twice, but there are certain matters I want to clear up.

First of all, the book, "Look, the Heart of Europe", which may have been written by the man MacLatchie, who Counsel says is a man of Scotch ancestry, I think it is important that the Tribunal know that it was published in Germany. I am sure that Counsel did not mean to imply that it was an American publication, because, other than having been written by this man, it was published over here after he had attended the Olympic Games in 1936.

THE PRESIDENT: In the German language, I suppose?

MR. DODD: Yes, and the German title was "Sieh, das Herz Europas".

With respect to the Colin Ross note, I think it is important to know that no one knows whether Ross committed suicide or not. At least, so far as the Allied countries are concerned. His body has never been found and only this note which Counsel says was found among his effects.

DR. SAUTER: Mr. President, may I make another remark concerning the first group? That book by Maclatchie appeared in a German publishing firm. The defendant von Schirach himself intervened to make sure that that book could appear, so that again speaks for the fact that von Schirach had a certain purpose in view. That purpose was to cause a certain enlightenment between American and Germany and to smooth the contrast which he was afraid would one day lead to war.

H0119 - 0007

The book by Maclatchie did not only appear in German, but also in the English language, and it was distributed in large numbers in England and in the United States. It also appeared, of course, in German and was distributed in Germany.

That, I believe, is all that I wish to say at this point.

THE PRESIDENT: Would you tell the Tribunal what these other documents are that Mr. Dodd has not objected to? We understand that there are 160 documents, which he has not objected to. What are they all about, and how long are they?

DR. SAUTER: I have submitted only one document book. That is, I have limited myself to the absolute necessities.

THE PRESIDENT: Of how many pages?

DR. SAUTER: Altogether, 134. Of course, some cover only one half or one third of a page. They are mainly short quotations.

It was necessary for me to bring in these extracts because the presentation of proof concerning the activities of the defendant von Schirach as Reich Youth Leader can only be dealt with by showing to the Tribunal just what the defendant von Schirach told the youth of Germany, what his teachings were, what his directives to his subordinate leaders were in detail, and in that connection it is necessary for me--and I believe that the Prosecution realizes that also--to submit a short report covering the entire period during which von Schirach was Reich Youth Leader so as to show that the opinions and theories of the defendant von Schirach during the last year of his activity as Reich Youth Leader were exactly the same as during his first year. He is one of the few within the Party who did not become more severe, because in the years he did nothing to extremes, such as most of the others, and that I want to show by these comparatively short excerpts.

I believe that is now all.

H0119 - 0008

THE PRESIDENT: Then you have the two supplementary applications for witnesses, have you not?

DR. SAUTER: Yes.

THE PRESIDENT: You better deal with those, had you not?

DR SAUTER: Yes.

THE PRESIDENT: Well, one of them, I understand, is a person who made an affidavit which has been used by the Prosecution.

DR. SAUTER: I believe that is the witness Ueberreiter.

THE PRESIDENT: I do not think so. I think it is the other one, is it not? Who are the two?

DR. SAUTER: One is, I believe--

THE PRESIDENT: Marsalek:

DR. SAUTER: No, not Marsalek, Ueberreiter. Marsalek, Mr. President---

THE PRESIDENT: I have your application before me for Marsalek, You do not want Marsalek?

DR. SAUTER: No, that must be an error.

THE PRESIDENT: Taken the 15th of April, 1946. Anyhow, you do not want him?

DR. SAUTER: No.

THE PRESIDENT: Well, then you only want one, do you?

DR. SAUTER: Yes.

THE PRESIDENT: And that is Ueberreiter?

DR. SAUTER: Ueberreiter, Mr President.

THE PRESIDENT: Has the Prosecution any objection to him?

MR. JUSTICE JACKSON: No, we have not, Your Honor. That affidavit was introduced by us in connection with the Kaltenbrunner case, an affidavit by Ueberreiter.

THE PRESIDENT: You have no objection?

MR. JUSTICE JACKSON: No objection.

THE PRESIDENT: Very well. Thank you Dr. Sauter. We will consider your application and respective documents and the witness. We will consider your application, and we will now proceed with the case of Streicher.

H0119 - 0009

MR. JUSTICE JACKSON: May it please the Tribunal; I should like to make a motion to the case of Streicher. I desire to move that Streicher's testimony found at pages 8494, 8495, and 8496 of April 26th be expunged from the record, and on page 8549 of yesterday's testimony in which Streicher makes charges against the United States Army of mistreatment. If this testimony is irrelevent, it has no place in this record. If it is relevant, then it calls for an answer at considerable time and at considerable difficulty in view of the redeployment of people in the service of the United States. In our view it is utterly irrelevant. It was not responsive to any question and, no matter how it should be resolved, it would not help to determine whether Streicher is or is not guilty of the offenses charged here, but it is not a pretty charge to leave unanswered in a record for all time.

It may be that we are unduly sensitive, as it has been suggested, but the United States has tried to conduct this war within the rules and the forces of the United States have some sensitivity about their record in that respect.

In order to obtain a clear-cut ruling and in order to know whether we should take any steps in reference to this, I move that this be expunged as immaterial and irrelevant testimony and, of course, if it is irrelevant, we are excused from any duty to deal with it; if not, we willknow that we must.

THE PRESIDENT: Dr. Marx, do you wish to say anything about that?

DR. MARX: (Counsel for defendant Streicher): Excuse me, Mr. President. Unfortunately, I did not understand the motions made by Justice Jackson completely because at that moment I was busy doing something else. As much as I understood, he dealt with--

THE PRESIDENT: I can tell you what it was. The motion was that passages on pages 8494, 8495, and 8496, and on page 8549, in which the defendant Streicher made certain charges against the United States Army, be expunged from the record.

DR. MARX: I understand. I would like to say, from the point of view of the defense, that I agree that these passages be dropped

H0119 - 0010

because I am of the opinion that for the defense of the defendant they are in no way relevant.

THE PRESIDENT: The passages to which Mr. Justice Jackson has drawn our attention are in the opinion of the Tribunal highly improper statements laid by the defendant Streicher. They are, in the opinion of the Tribunal, entirely irrelevant, and they have been admitted by counsel for the defendant Streicher to be entirely irrelevant, and they will, therefore, be expunged from the record.

And now Dr. Marx.

DR. MARX: May I now, with the permission of the Tribunal, continue with the calling of witnesses? I call now the witness Friedrich Strobel.

FRIEDRICH STROBEL, a witness, took the stand and testified as follows:

BY THE PRESIDENT:

Q Will you state your full name.

A Friedrich Strobel.

Q Will you repeat this oath after me: I swear by God, the Almighty and Omniscient, that I will speak the pure truth and will withhold and add nothing.

(The witness repeated the oath.)

THE PRESIDENT: You may sit down.

DIRECT EXAMINATION

BY DR. MARX:

Q Witness, on the 3rd of December, 1938, were you at a meeting of the Lawyers' Organization in Nurnberg?

A Yes.

Q During that meeting the defendant Streicher is supposed to have spoken; is that correct?

A Yes.

Q Would you please tell us what the defendant Streicher stated at that occasion concerning the demonstrations of the 9th of November, 1938?

H0119 - 0011

A He stated, "I would not have done it that way. In such a manner it is impossible to suppress a power like world Jewry." Then he added, "What happened has happened", and some more phrases of that kind.

Q Is it correct that at that time you were surprised that Streicher in all public objected against that action, which had been ordered by the top?

H0119-0012

A. Yes. Streicher frequently spoke against measures and directives of the Government when he was of a different opinion. Thus he did it also on that occasion. I had the impression that apparently one had passed over him, because in his speech there was an undertone that indicated that there would be disagreeable consequences.

I thought about it, and I did not know whether it meant that Streicher had a good moment once, or that he knew how harmful that action was, or whether his vanity was injured, or maybe it was that he felt that a quick solution of the Jewish problem would take away his importance.

Q. Witness, these are opinions which you are stating here and not facts, and I did not ask you about that.

A. Well, that was my impression.

Q. All right, I ask you now: On the 9th and 10th of November, 1938, were you present in Nurnberg?

A. Yes. I don't remember it for usre, but I believe it was from the 8th to the 9th when that action happened, because on the 7th of November von Rath was shot; on the 8th he died, and the night after these things occurred.

THE PRESIDENT: We needn't argue about whether it was the 8th or the 9th. It doesn't really matter, does it?

BY DR. MARX:

Q. The question which I want to put to you now is, what observations did you make after that night during which the demonstration against the Jewish population took place on the following morning, and then later about the attitude of the population in Nurnberg toward these demonstrations?

A. I was informed about that action only by the personnel in my office. Thereupon I walked into the city, looked around in the streets, and in front fo all the damaged stores there were people standing. I had the impression that the majority of the population, the great majority, was quiet. They shook their heads, looked at each other, and muttered something. Then they walked away. But, generally, one had the impression that you should not speak too loudly, and later I found out that people who objected against it were treated rather badly.

H0119 - 0013

Q. But the general impression was, wasn't it, that the population definitely was not in favor of that action, and that general indignation was recognizable, and even if not loud it was there.

A. Yes. The Russian Broadcasting Station expressed it best. They said "Let it be said that it is something in favor of the German people that they did not participate in this action." Most people found out only in the morning after the aftion what had happened.

THE PRESIDENT: What has this got to do with the defendant Streicher?

DR. MARX: Well, the defendant Streicher has been accused that he had shown that he approved of these actions, and that by his speech on the 10th of November he approved it. Streicher also mentioned that that was an action which had been ordered from the top.

THE PRESIDENT: The fact that a number of people in Nurnberg, or even the whole of the people of Nurnberg, disapproved of it wouldn't show that Streicher disapproved of it.

DR. MARX: Yes, but he waid that it could not have been an incitement, because that action had been ordered and directed from the top, whereas, in the case of an incitement, the action would have started out of the mass of the people. That is what he pointed out.

THE WITNESS: May I state my opinion about that? It certainly did not start from the people, because even the SA man who took part in the action did it because there was an order, and it was an organized affair. The assertion of Dr. Goebbels that the German people had risen spontaneously was a libel against the German people.

DR MARX: I have no more questions to this witness, Mr. President.

THE PRESIDENT: Do any other of the defendants' counsel wish to ask him any questions?

(No response)

Does the Prosecution wish to cross examine?

(No response)

Then the witness can retire.

H0119-0014

DR. MARX: With the permission of the Tribunal, I now call the witness Ernst Hiemer.

THE MARSHAL: There is no witness.

THE PRESIDENT: Is he not there?

THE MARSHAL: We have not witness there.

THE PRESIDENT: He says, Dr. Marx, that he is not there, and that there are no witnesses there.

DR. MARX: Excuse me, Mr. President. The witness Hiemer is right here in the prison, and I talked to him personally.

THE PRESIDENT: Well, did you inform the prison authorities yesterday that you were going to call him?

DR. MARX: I spoke to the Marshal on Monday, saying that Hiemer should be brought up Tuesday, as much as I can recall. There must be a misunderstanding somewhere.

THE PRESIDENT: Well, have you got any other witnesses besides Hiemer?

DR. MARX: Well, yes, the witness Wurzbacher.

THE PRESIDENT: Where is he? Where is Wurzbacher?

DR. MARX: Wurzbacher is also here in the prison.

THE PRESIDENT: Well, while he is being brought, can you take up the time in dealing with your documents?

DR. MARX: Yes. We can do that also.

THE MARSHAL: They will be here in about five minutes.

THE PRESIDENT: Very well. Go on, Dr. Marx.

DR. MARX: Mr. President, before coming to the question of the documents, I should like to point out the following: During the proceedings yesterday afternoon the Prosecution has submitted several documents which were new to me, and I did not have an opportunity yet to state my position with regard to them. Also, I did not have a chance yet to speak to the defendant Streicher about them.

From the point of view of the defense, I consider it essential to speak about these extraordinarily important documents; and I believe that has to be done in the manner that I have to examine all the articles of the "Stuermer" to see whether it can be found that Streicher has used the various informations

H0119-0015

from the "Israelitisches Wochenblatt", because his defense was, "I did not believe what I read there." If it will be seen now that not in a single article has be used these informations, then his statement is well supported. Therefore --

THE PRESIDENT: Wait a minute. In one particular article it was demonstrated yesterday in cross-examination, as I understood it, that he had used an article from the Jewish paper.

DR. MARX: Yes. I know that article. That is of the 4th of November 1943.

THE PRESIDENT: Well, Dr. Marx, what exactly are you applying for now? What is your motion?

DR. MARX: My motion is that the Tribunal permit me to supplement my document book in such a manner so that I can state my position to the documents submitted by the Prosecution yesterday by submitting documents on my part. My presentation of documents would be incomplete if I would not have a chance to answer these presentations by the Prosecution.

H0119-0016

THE PRESIDENT: Yes, Dr. Marx; the Tribunal grants your motion provided you make it in the ordinary way, in writing, referring to any passages which you contend throw light on the passages which have been put in by the prosecution.

DR. MARX: Yes. May I now begin to discuss the individual documents? Exhibit No. 1 shows that the newspaper "Stuermer", according to the decision of the Fuehrer, was not an official Party organ and that that newspaper was not even permitted to carry the Party emblem, while all other papers had that Party emblem on the front page. That should prove that we are dealing here with a private publication of the defendant Streicher.

THE PRESIDENT: Dr. Marx, you are going to offer these documents in evidence and give them exhibit numbers, are you not?

DR. MARX: I consider these documents as submitted and I have discussed it with the prosecution and the prosecution had no objections.

THE PRESIDENT: You see, there is a written transcript being taken down and unless you offer each document in evidence and say that will be exhibit number so and so, it does not get into the transcript. If you like, you can do it in a group and say "I offer in evidence such and such documents as Exhibit 1 to 100," or whatever number you wish.

DR. MARX: Yes.

THE PRESIDENT: The book I have before me does contain certain exhibit numbers; for instance, page 1 to 4 appears to be Exhibit No. 1 and page 5 is Exhibit No. 5; page 6 is Exhibit No. 6; page 7 is Exhibit No. 7.

DR. MARX: Yes.

THE PRESIDENT: I am told that page 4 is Exhibit No. 1; is it?

DR. MARX: The pagination which was made here is quite different from what I had in the beginning.

THE PRESIDENT: Let us get on. You only got to tell us what documents you are offering in evidence and under what exhibit numbers. Dr. Marx, you can do it later if you want to.

DR. MARX: I further submit Exhibit No. 5, an extract from an editorial that appeared in "Der Stuermer" of July 1938. That article which was not written by Streicher but by Karl Holz, shows that it is written in a very

H0119-0017

severe term and it is mentioned that vengeance will be set free one day and Jews will be destroyed, but it is said that that article was caused by a letter which was sent from Nurnberg to New York and which itself indicated that Germany in the case of war would be destroyed from the air, so the tendency is expressed here again, which the defendant asserted yesterday, that his sharp expressions were always caused by the same way, from theother side. That was Exhibit No. 5 and I ask to be permitted to submit it as an exhibit under that number.

Then I submit as Exhibit No. 6, an excerpt from Number 40 of "Der Stuermer," of October 1939. I believe I do not have to say anything about that because my position can be seen from the document; or is it necessary to speak about it?

THE PRESIDENT: No, you need not speak about them; just put them in.

DR. MARX: I submit as Exhibit No. 7, an extract from the "Voelkischer Beobachter" of 25 February 1942, in answering document M-31 of the Tribunal brief against the defendant.

Then I submit Exhibit No. 8, an extract from the "Voelkischer Beobachter", February 8, 1939, page 2.

Then as Exhibit No. 9, an extract from the political testamnnt of Adolf Hitler, dated 29 April 1945.

As Exhibit No. 10, an extract from "Der Stuermer," February 1935, No. 8.

As Exhibit No. 11, an extract from "Der Stuermer," an extract of September 1945, No. 38.

As Exhibit No. 12; then I pass on to the next page which will receive No. 12. That is an extract from "Der Stuermer," of September 1935, No. 38, page 9 of that copy.

Exhibit No. 13 is an extract from "Der Stuermer," of January 1938, No. 1.

Exhibit No. 14, an extract from "Der Stuermer", of May 1938, No. 20.

As Exhibit No. 15, an extract from "Der Stermer," of November 1943, No.45.

As Exhibit No. 16, a document submitted by the prosecution, No. 579-PS.

As Exhibit No. 17, speeches made by Himmler in April 1943, 4 October 1943, and 28 September 1943 at Pozen and Karkov.

As Exhibit No. 18, a photostat of the special issue of "Der Stuermer,"

H0119 - 0018

for May 1939, No. 20.

I ask to have these documents accepted and I have limited myself.

THE PRESIDENT: That is all, is it?

DR. MARX: Yes.

THE PRESIDENT: Do you think the witnessis readyyet? Perhaps we might as well adjourn for ten minutes now.

(A recess was taken.)

H0119-0019

ERNST HEIMER, a witness, took the stand and testified as follows:

BY THE PRESIDENT:

Q Will you state your full name.

A Ernst Hiemer.

DR. MARX: May I just interrupt for a minute, Mr. President. First of all I would like to state that I am not holding the Marshal responsible for the mistake. The matter was as follows, that is, about bringing in the witness --

THE PRESIDENT: It is quite all right, Dr. Marx.

DR. MARX: I consider it my duty to state here and now that the Marshal is not responsible for the mistake regarding the bringing of the witness. One of my employees spoke with a gentleman --

THE PRESIDENT: We quite understand, Dr. Marx.

DR. MARX: Then, Mr. President, may I be permitted to submit Exhibits No. 1,5,6,7,8,9, up to 18. The numbers are 1 and 5, and from 6 through 18. Lacking are 2,3, and 4 which were not granted. All other exhibit numbers remain and are contained therein, numbers 1 and 5, and through 18.

THE PRESIDENT: You include 19, don't you?

DR. MARX: Numbers 19 and 20.

THE PRESIDENT: No, I beg your pardon. I think I must have been wrong. I have taken down 19, but you haven't got 19, have you?

DR. MARX: Number 18 is my last one, your Honor, and I wish to submit these exhibits.

THE PRESIDENT: And now you are going to go on with the witness?

DR. MARX: Yes.

BY THE PRESIDENT:

Q Will you state your full name.

A Ernst Hiemer.

Q Will you repeat this oath after me:

I swear by God, the Almighty and Omniscient, that I will speak pure truth and will withhold and add nothing.

(The witness repeated the oath.)

THE PRESIDENT: You may sit down.

DIRECT EXAMINATION

H0119 - 0020

BY DR. MARX

Q Since when have you known Mr. Streicher? How did you get to know him, and what position did you have in the Stuermer?

A At the end of 1934, I met the then Gauleiter Julius Streicher, met him at the Deutscher Hof in Nurnberg. Streicher instructed me to work for his journal which dealt with public health. In the year 1935, I wrote reports for the Stuermer. Streicher then had me transferred to the editorial department of the Stuermer office.

Finally, under Streicher's supervision, and at the suggestion and direction of other collaborators in the Stuermer, I did editorial work and duties. The responsible editor of the Stuermer was the deputy of Streicher, Karl Holz by name but the man in charge of the Stuermer was Streicher himself.

In the year 1938, instructions came from Berlin to the effect that Holz was to be permitted to remain in the service of the Stuermer, but since he was the Deputy Gauleiter, and in his position as Hoheitstraeger was a dignitary of the Party, he could not be mentioned officially in the Stuermer as longer, and therefore, at the instruction of Streicher, my name was entered as responsible party in the Stuermer, and the entire direction of the editorial policy and all authority connected therewith remained in Streicher as heretofore, and Streicher remained in his position of authority until it collapsed.

H0119 - 0021

Q What was the chief thought connected with the Stuermer's policy? What was the leit motiv?

A Streicher, in the Stuermer, wanted, in the simplest and most popular language, to show every man and every woman of the German people and give them knowledge about the Jews. Streicher wanted the entire German people to realize and kr know that the Jew was a stranger among them.

Q Now, Mr. Hiemer, I don't want to know that. I want you to tell me whether Mr. Streicher was for emigration or whether he followed a different train of thought. I do not want you to give me a long exposition on the Jewish problem.

A Streicher was of the opinion that in Germany the Jewish question should be solved through emigration. He criticised the leadership of the Reich when he said that the emigration of Jews was not being carried through in a manner desired by Streicher. When the war came, Streicher asserted that the Jewish question, so far as Germany was concerned, and Germany at war--this question would no longer have any signifcance for Germany at war, if, Streicher thought, even in peace, this problem could have been solved before this through a complete emigration.

Q Is it correct that the Palestine and Madgascar problem was mentioned in the journal?

A Yes. Streicher did utter his opinions in word and in writing. He said that Palestine and Madagascar would be suitable to receive the Jews that were living in Germany. However, he did not maintain this thought for any length of time because Germany could not dispose of Palestine and Madagascar; England and France were the only two powers who could dispose of these two countries.

Q What can you tell us about the influence, and how do you judge it, which Streicher and the Stuermer had since 1933? Was there a retrogression of this influence since 1933 among the German people?

A Yes, that is correct. In many circles it was known that the influence of Streicher on the movement, and the influence of his paper on the movement, beginning with 1933, did decrease. Streicher had many conflicts with other leaders of the Party, and he created many enemies for himself. Above all, beginning with the year 1937, Streicher was pushed into the background more and more.

As far as the theoretical dealings with the Jewish problem were concerned, that was carried on through the Party. That was carried on by the Institute for the study of Jewish Problems, under the leadership of Rosenberg, an authority so

H0119-0022

far as Jewry was concerned. Himmler was one, as is well known, who had authority in this respect.

When, finally, in the year 1940, Streicher was relieved of his position as Gauleiter, he was completely isolated. From that period on he lived on his estate and worked there as a country gentleman, and he only worked in a literary capacity for the Stuermer.

Q What was the circulation of the Stuermer since 1933? Can you tell us anything about that, beginning with your service?

A This problem of the circulation should be put to the man who was in charge of that. However, I do remember some figures. The Stuermer was, even in 1933, a very small paper; in about the year 1935 it grew, and it had a circualtion of about 800,000. Then there was a sharp decrease after that.

The Stuermer, during the period of the war, had a smaller circulation, but I cannot give you any exact figures. During tha last months the circulation of the Stuermer was extremely small. On an average, I might say that the Stuermer had a circulation of perhaps half a million. Of course, there were special issues which had a much larger circulation.

As I said, the circulation manager would be the one to give you these figures.

Q What can the sharp increse in the year 1935 be traced back to?

A It is very difficult for me to answer that question.

Q Wasn't it because, in a way, there were coercive subscriptions in factories and other places?

A Mr. Attorney, you are putting questions to me which really only a circulation man can answer, I myself cannot answer the question with assurance, and therefore I must remain silent because my testimony is not certain.

Q Of course, if you don't know, you may feel free to say so.

What was the knowledge of Mr. Streicher about the happenings in the East, especially in concentration camps, and what did he tell you abot these things personally?

A From Streicher's own words I never heard that he knew about the happenings in concentrations camps. On the other hand, Streicher said he heard about these happenings only in the year 1944 through the Swiss press. Streicher received the Swiss press regularly; among others, the Israelitishes Wochenblatt, or the Israellite Weekly Journal, and in the year 1944 this Journal brought rather detailed

H0119-0023

descriptions about the happenings in concentration camps.

Streicher, in the beginning, rejected the reports which he saw in the Swiss press. He considered them lies for a

H0119-0024

purpose. He declared that these reports were being made only so that the prestige of the German people abroad would be undermined.

Of course, Streicher soon changed his opinion. At first he was sure in his opinion, but finally he believed that these occurrences which were pictured in the Swiss press about concentration camps were true to the facts after all.

Streicher made Himmler responsible for the carrying out of these crimes. He considered him the only one who could have authorized such crimes.

Q You said that Streicher soon changed his opinion. What does that mean?

A In the beginning he had declared decidedly and decisively that these reports could not be true. Then he became unsure and said that perhaps they might be true. I was of the opinion that either the details of the reports in the Swiss press had convinced Streicher that these happenings were actually taking place or that Streicher, perhaps through one source or another, either through personal contact or through letters, had received knowledge that these happenings were actually taking place in the concentration camps and were the facts. I would like to ascribe his change of opinion to that.

Q And when was that, approximately?

A I cannot give you the exact date, but I believe it was in the middle of the year 1944.

Q What position did he now take when he finally believed himself to be convinced? Did he seem satisfied with the fact that so many people had been done away with?

A No. Streicher definitely rejected the happenings in concentration camps. It did happen that Streicher, in anger--that is, if he had been especially upset about political happenings he occasionally asserted that the Jew, as an enemy of the German people, should be destroyed. However, Streicher talked that way only in the first fit of rage. After he had quieted down, he alwayssspoke against the extermination of Jews.

Q But repeatedly in articles of the Stuermer there is word about the extermination of the Jews?

H0119 - 0025

A Yes. It is a fact that in reports and articles of the Stuermer the extermination of the Jews is spoken about. However, to the contrary, we have to remember that Streicher always expressed himself and always was against the murdering of the Jews, and, according to my definite convictions, Streicher and the Stuermer had no connection with the happenings in concentration camps. It is my firm conviction that he did not.

It is known that these crimes in the concentration camps occurred on the instructions of individual and particular men; that is, on official orders. And it is my firm conviction that neither Streicher nor the Stuermer had anything to do with this at all.

Q How did these articles come to be; that is, the ones that you wrote? Did the principles contained therein come from Streicher? Were these articles your own, or did you ghost for Streicher?

H0119 - 0026

A Streicher was the founder and the owner of the paper but he was also the editor-in-chief, and all colleagues and collaborators no matter whether his deputy, Mr. Holz, or others - all collaborators had to submit their work to Streicher before they went to print. Streicher then decreed changes as the case might necessitate and gave the collaborators articles that they were to write; that is, he told them how these articles were to be drawn up, and of all the articles which appeared in The Sturmer, Streicher knew what they were about and had seen them, so that I may be able to say with conviction that Streicher was the responsible editor of The Sturmer, the one who determined the policy. All others were collaborators and he himself was, as he often said with pride, one and the same with The Sturmer. "Streicher and The Sturmer are one and the same." That was the maxim.

Q That, of course, he admits, and he takes the responsibility for it. What can you tell us about the pornographic library of Streicher?

A The Sturmer was in the possession of a large archive. This archive consisted of many thousands of German and foreign-language books, documents, edicts and so forth. These books were either at the disposal of The Sturmer of friends of The Sturmer, or they came from Jewish flats. The police put books which were found in Jewish dwellings at the disposal of the Institute for the Study of the Jewish Problem, at the disposal of Rosenberg and The Sturmer, and whatever remained, the ones that did not go to Rosenberg, went to the archive of The Sturmer. Among these books there were numerous volumes which dealt with so-called sexual knowledge, by Herschfeld, Block, to mention some of the authors; some which were purely pornographic; books which had been sent in by friends of The Sturmer, and books which had been found in Jewish dwellings. Both types of books were among the pornographic literature. These books were kept in a special department under lock and key, and the public did not have access to these books.

As far as this pornographic literature is concerned, it wasn't a personal pornographic library of Streicher's, but a component of The Sturmer's archives. Streicher never read these books. These books were to be used after the war in the new archives. They were to have been selected and those which were not purely of Jewish origin were to be deleted, but as I said, Streicher did not read these books.

Q Where were these books kept? Were they in the publishing house, or how is it that apart --

H0119-0027

THE PRESIDENT: There is no issue here with respect to this particular sort of book.

DR. MARX: Then I have no further questions in that direction. I just wanted to clarify this matter, since in the public mind this matter was of great importance. I have no further questions for the witness at this time.

THE PRESIDENT: Then, are there any questions from the other Defense Counsel?

BY DR. THOMA (Counsel for Defendant Rosenberg):

Q Did Rosenberg have any connections with the editor-ship of The Sturmer?

A To my knowledge, these connections and relations were almost zero. I knew Dr. Ballensiefen personally. He was active with Rosenberg. I personally knew Dr. Bohl, but as far as connections are concerned, that is, of collaboration between The Sturmer and the Institute for the Study of the Jewish Problem, such relations I do not know.

Q Did Ballensiefen and Bohl have connections with The Sturmer?

A Bohl had personal connection with me. He was a student of Hebrew and had published translations of the Talmud -- Talmudgeist. Through that, I got to know him. With Ballensiefen I had no connection.

Q Did Bohl have personal connection --

A Only with me, not with The Sturmer.

Q Or was he a deputy of Rosenberg in this matter?

A No.

DR. THOMA: I have no further questions, your Honor.

CROSS-EXAMINATION

BY LT. COL. GRIFFITH-JONES:

Q I have only one matter to ask you about. Do I understand you to say that by the middle of 1944 Streicher had become convinced that the reports in the Swiss newspaper, "Israelitisches Wochenblatt," were true?

A I did not understand you. Will you please repeat the question for me?

Q Do I understand you to say that by the middle of 1944 Streicher had become convinced of the truth of the reports he was reading in the Swiss newspaper about concentration camps?

A Yes, I had the opinion and the impression that in the middle of 1944 --

Q I only wanted an answer yes or no. That is quite sufficient.

Let me just read to you three lines of an article which was published in The Sturmer on the 14th of September, 1944 --

A Yes.

Q "Bolshevism cannot be defeated; it must be destroyed. And neither can Judaism be defeated, disarmed or made defenseless; it must be exterminated." That is page 52A. Now, the word you use for "exterminate" is "ausgerottet," which I understand means completely wipe out. Why was that article appearing in The Sturmer in September, 1944, when it was known by the owner of The Sturmer what was going on in concentration camps in the East? What was the purpose of that article?

A I personally did not write this article. I believe that Streicher wrote this article. Therefore, of my own accord I am not able to judg e the intention of the article. But I would like to assert that Streicher was against the murders in the

H0119-0028

H0119 - 0029

concentration camps, that he expressed his opinion and that he did not wish the murder of Jewry.

LT. COL. GRIFFITH-JONES: Very well, I will leave that.

My Lord, in the interest of time, I do not propose to cross-examine the witness any further. But perhaps I may be allowed to draw the Tribunal's attention to those articles contained in your bundle, which are articles actually written by this witness. There are about seven of them. Page 3A, 35A, 38A, 40A, 49A, 50A and 51A. That is covering a period from January, 1939, up to August, 1944.

And, My Lord, the other matter that I would draw the Tribunal's attention to was that the witness was author of the disgusting children's book which I present to the Tribunal in putting the individual case against Streicher.

THE PRESIDENT: Is there any further cross-examination?

(There was no response.)

Dr. Marx, do you wish to re-examine? You heard what Counsel said about the various articles written by the witness. Have you any questions you wish to ask the witness?

DR. MARX: Yes, please.

REDIRECT EXAMINATION

BY DR. MARX:

Q Perhaps you did not quite understand the question previously. Please tell us again just when Mr. Streicher received knowledge and when he showed you that he was convinced of these mass-murders or at least had definite knowledge?

A In my opinion and conviction, that was the middle of 1944.

Q But in the Israelitisches Wochenblatt for a number of years prior to that date there had been controversies to that effect.

A Yes; at that time Streicher did not believe these things. His change of opinion took place in the year 1944 and to my memory the middle of the year.

DR. MARX: I have no further questions to the witness.

THE PRESIDENT: Then the witness can retire.

H0119-0030

(The witness left the witness-box and the court room.)

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DR. MARX: With the permission of the High Tribunal I would like to call the witness, Phillip Wurzbacher.

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PHILLIP WURZBACHER, called as a witness on behalf of the Defendant Streicher, took the stand and testified as follows:

BY THE PRESIDENT:

Q Will you state your full name?

A Phillip Wurzbacher.

Q Will you repeat this oath after me, "I swear by God, the Almighty and Omniscient, that I will speak the pure truth, and will withhold and add nothing."

(The witness repeated the oath.)

You may sit down.

DIRECT EXAMINATION

BY DR. MARX:

Q You were an SA Fuehrer in Nurnberg?

A Yes.

Q Since when?

A Since 1928.

Q And what position did you have?

A At that time I was an SA Standartenfuehrer --

BY THE PRESIDENT:

Q When you see that yellow light, it means you are going too fast. Do you understand?

A I have been talking too fast?

BY DR. MARX:

Q Witness, please speak slowly and pause as frequently as possible.

A Yes, indeed.

Q As your testimony has to be interpreted into different languages.

A Yes.

Q Since when have you known the Defendant Streicher?

H0119 - 0031

A I have known him, through meetings, since 1922 to 1923; personally, from the time of my activity as an SA Fuehrer in the year 1928.

Q Were you present at the meetings at which Streicher spoke? Did you attend regularly?

A I cannot say that I was a regular attendant at these meetings, but I must say I was present very frequently.

Q Did Streicher demand in his speeches that force be used against the Jewish population, or did he announce such?

A At no meeting did I ever hear anything like that, that force was to be used against the Jewish population. Neither did I ever hear that Streicher demanded or announced that he had any intentions along these lines.

Q Now, in Nurnberg or in the Gau Franconia, in the period from 1920 to 1933, at any time did an action of force take place against the Jewish population which originated from the people or with the people?

A No, I cannot remember any incident of that type ever.

Q Did the SA undertake any such incident or was anything like that ever directed?

A The SA never undertook anything like that. On the contrary, the SA had instructions, and unequivocal instructions, that any acts of force were to be avoided. A severe punishment for each individual would have resulted if he had done anything like that, or if an SA Fuehrer had given instructions he also would have been severely punished; and on the whole, and as I have already emphasized, there was never any demand or any instructions along these lines.

Q What can you say, then, as to the happenings on the night of the 9th to 10th of September, 1938?

A These happenings, from the 9th to 10th of November, 1938, I did not personally experience these happenings in Nurnberg, for at that time I had a chronic throat infection, and the only knowledge I had was what I received through stories transmitted to me afterwards.

H0119 - 0032

Q Did you talk with Obergruppenfuehrer von Obernitz about this incident?

A Yes, I talked with SA Obergruppenfuehrer von Obernitz at that time in a very brief conversation when I reported back for my work, but on the whole it was just a very few words, since Obergruppenfuehrer von Obernitz was called away, so I could not fully deal with that matter in that conversation. I do remember that von Oberni declared that he had regulated matters and put them in order. That was the sense of the conversation as I recall it.

Q Was there within the SA a unified opinion, or was it that even in the circle of the SA that these incredible happenings were disaproved of?

A Opinion was, insofar as I could determine upon my return--I believe that it was about 23 or 24 November--opinion was very much divided. A part of the SA was pr the other, con, but in any event the general opinion was that in general the happer ings were considered wrong and were disapproved of.

Q Was the--I must say brutality--found in these circles, especially after the increase of the SA in 1933?

A It was, of course, true that after the taking over of power and with the taking in of many people, the situation was completely different from what it had been before. Up until that time, as a responsible fuehrer, one knew almost each member, but now with the tremendous onslaught of new membership, it was hard to kn each one personally, but I believe that I may say that to speak of brutality, No, that had not taken place. Perhaps a few elements had come in which, in the name of the SA, did one thing or another, but in general I can not say that a brutalising had taken place.

Q Did you note that Der Sturmer had an influence in the SA and produced such an influence that through it an anti-Semitic current was produced in the troops whic was under your command, or didn't your people read Der SA Mann, another publicatio

A To that I can only say that Der Sturmer was read in Nurnberg and in the SA and that the reception it received was divided. There were strong segments in the S which did not exactly reject Der Sturmer but which were more or less disinterested in it because of the tedious repetitions contained in it. They showed very little interest in it and tended to read their own paper Der SA Mann.

Q When you participated in a meeting in which Streicher spoke, what impressior did you have as to the objectives which he followed in his speech, especially as to the solution of the Jewish problem?

H0119 - 0033

A The objectives which were announced by Streicher at the meetings were, I must say, unequivocal and clear. He followed the policy that the strong elements which had been active in German economy and in public life in Germany should be removed and that, as a matter of course, andemigration should be followed.

Q On 1 April 1933 were you participating in the boycott in any way?

A Yes, I participated. At that time, I had instructions from my Gruppenfuehre to see to it that this boycott should be kept in a framework of order and decency, and, so that the boycott could be carried

H0119 - 0034

through, as far as stores were concerned, I instructed the men under me that there were to be two guards in front of each store. These men had to see to it that nothing would happen and that everything would take its course in a clear and orderly fashion.

Q Were there not instructions on the part of Streicher also?

A Yes. The instructions which I had from my Gruppenfuehrer had been published by the Gauleiter Streicher.

As far as the Jews were concerned, it was, not only in this one case, but in all cases that it was repeatedly pointed out that activities of force against the Jewish population, and especially in Nurnberg, were to be avoided and that they were strictly prohibited.

Q What was Streicher's behaviour when he found that such actions of force had been perpretrated by individuals?

A I can cite one example in which violence was involved. I believe it was a small matter. Something had happened, but I do not recall the details that were involved. In any event, there was quite an argument, quite a fight about it, and we SA men were censored.

Q And what did he say? How did he go about this? What did he say?

A He said that he, in his gau, would not tolerate that men -- human beings -- would be beaten or tortured in any way, and rather drastic expressions were used toward SA fuehrers, such as "Lumpen" and others.

Q But he was called the "Bloody Czar of Franconia". How was that to be explained?

A Perhaps it was his manner. Sometimes he could be very harsh, but I can say that during my activity, I did not see anything or experience anything which might lead me to say that he was a bloody czar.

Q Do you know what his attitude was toward concentration camps? Did he visit Dachau? If so, how often, and what did he do then?

A I cannot give you any information on that point. I know just one thing and that is that he tried and spoke about this repeatedly -- that people who had been taken to Dachau should be freed as soon as possible if they were not criminally accused, and I know of several cases where, soon after these people were taken into the concentration camps, they were liberated.

For example

H0119 - 0035

For esample, there was an employee of the city of Nurnberg, a teacher by the name of Lehrer Matt, who was liberated very soon. I believe he was incarcerated for just three or four months, and in another case a certain Mr. Lebender, who had been active in labor unions. He also was liberated after a very short period of time. If I remember correctly, it was about the year 1935 or perhaps the beginning of 1936, although I cannot place the exact time when the last inmates were freed from the camp at Dachau and were greeted with music when they arrived.

Q Was it not held against him that he liberated so many members of the left wing parties from Dachau?

A Perhaps it was said in the membership of the SA that it was an act which he could not really be responsible for, that he had liberated these people, and so forth and so on, but it was also pointed out that the Gauleiter was really responsible for such things and that he really should know just what he had to do and what should be done in each case.

Q Do you know that Himmler told Streicher of his disapproval of the liberations and told him that measures would be taken against him if he continued in this procedure? If you know nothing about these matters, please say so.

A No, I know nothing about that.

DR. MARX: Then, I have concluded my questioning of the witness.

THE PRESIDENT: Does any member of the Defense Counsel wish to ask questions Does the Prosecution wish to cross-examine?

SIR DAVID MAXWELL-FYFE: No, no questions.

THE PRESIDENT: Then the witness can retire .

H0119 - 0036

THE PRESIDENT: Does that conclude your case, Dr. Marx?

DR. MARX: Yes, your Honor.

THE PRESIDENT: Then we go on with Dr. Schacht's case next.

DR. DIX (Counsel for defendant Schacht): I begin my presentation with the calling of Dr. Schacht as a witness and I ask your Lordship to permit Dr. Schacht to enter the witness box.

HJALMAR SCHACHT, a witness, took the stand and testified as follows:

BY THE PRESIDENT:

Q Will you state your full name?

A Hjalmar Schacht.

Q Will you repeat this oath after me: I swear by God, the Almighty and Omniscient, that I will speak the pure truth and will withhold and add nothing.

The Witness repeated the oath)

THE PRESIDENT: You may sit down

DIRECT EXAMINATION

BY DR. DIX:

Q Please tell us and tell the Tribunal briefly about yourself.

A The families of both of my parents have lived for centuries in Schleswig Holstein, which until 1864 belonged to Denmark. My parents were both born as Danish citizens. After the annexation by Germany, my father emigrated to the United States, where three of his brothers had already emigrated, and he became an American citizen. My olrder brothers were born there. Then he had to return to Germany because my mother was not well.

I was educated in Hamburg. First I have studied in Germany and then in Paris and, after I had received my doctor's degree, I was active for two years in economic organizations. Then I went into the banking career. I was for thirteen years at the Dresden Bank, one of the large so-called "D" banks. Then I took over the management of a bank of my own, which was later merged with one of the "D" banks, and in 1923, I left the private career and became Reichswaehrungs Kommissar (Commissioner for the Safeguarding of the Reich Currency), later Reichsbankpresident, and until 1930 I held the office of president of the Reichsbank, at which time I resigned.

Q Why did you resign at that time as president of the Reichsbank?

H0119 - 0037

A In two essential points: There were differences of opinion between the Government and myself, one was internal finance policy of the government. After the terrible catastrophe of the last war and the dictate of Versailles was already behind us, it was necessary in my opinion that the German policy should be to use thrifty and modest methods in order to enter a democratic and socialist government. The government at that time could not see that point. Their policy was such that they started an economy of debt, which to a large extent created debts to foreign countries, and it was quite clear that Germany, which was already in debt on the basis of reparation payments, was in no position to take care of that much foreign currency, which would have been necessary for the repayment of these debts. We were not even able to pay the reparations on our own.

Therefore, I objected against these debts which the government at that time accumulated, and to which policy they also encouraged private industries. I warned continuously, abroad and within the country, against such a policy of debt. The foreign bankers did not listen to it; neither did the German Government. It was during that period where, if one passed Unter Den Linden at the Adlon Hotel, one wasn't sure whether there was a financial agent of some kind if one did not want to establish some credit.

There was a great struggle against myself. And then, when Germany was unable to continue paying interest on the debts, I stated again that I had alway been against such a policy. That was one reason.

The other reason was in the field of foreign policy. Not only had I contributed to the coming about of the Joenk plan, but in 1929, I had collaborated with the Joenk Committee, and there were a number of improvements brought about for Germany, which now, step by step, were thrown away in the succeeding negotiations at the Hague, and that impaired the financial and economic condition of the nation. I objected to it and, for both of these reasons, in March of 1930, I resigned as Reichsbankpresident as an act of protest.

DR. DIX: Gentlemen of the Tribunal, in that connection, may I callyour attention to Exhibit No. 6 of my document book. If the Tribunal agrees, and in order to shorten the presentation of documents, I should like to call your

H0119-0038

attention to these documents which are in connection with the questions which I am just treating with the witness, already during the interrogation of the witness. I believe that this will be agreeable to the Tribunal and it will bertainly shorten the presentation of documents. That is Exhibit No.6, on page 12 of the German copy of my document book, and on page 8 of the English copy, Your Lordship, Exhibit No. 6. That is an excerpt from statements of Dr.Schacht during the session of the sub-committee for money and credit matters on the 21st of October 1926. I believe it is not necessary that I read the excerpts, these statements. They refer to foreign debts which Dr. Schacht has mentioned. They contain the same thoughts which Dr. Schacht has just expressed before the Tribunal, and they will be a proof that thesd thoughts are not a construction ex post facto now, and I, therefore, ask the Tribunal to take judicial notice of that document without my reading it on toto.

I shall return to our interrogation.

BY DR. DIX:

Q You had resigned your office as president of the Reichsbank. What did you do then?

A I went to my small estate and farm and I lived there as a private citizen. Then I made a trip to the United States, which was during 1930. Shortly after the Reichstag elections or immediately after the Reichstag elections of September, 1930, I left and went to New York via London.

There I lectured for about two months about questions which were presented to me by American friends.

Q When did you first get in touch with the National Socialist ideology, with the Party, and with Hitler personally, and when, quite particularly, did you read the Party program in Hitler's "Mein Kampf"?

Q With the exception of one single incident in my life, I was never concerned with Party politics. At the age of twenty-six already I was offered very clear career, which I did not accept because I was never interested in Party politics. My interest was always in the field of economics and finance, but, of course, for public affairs, I always had a certain interest, which came from my interest for my country and my people.

There, in 1919, I participated in the foundation of the democratic party.

H0119 - 0039

May I say a few words here about my education as far as ideology and character is concerned? My father, throughout his life, has been convinced of democratic ideals. He was a Freemason. He was a cosmopolitan. I had, and I still have, numerous relatives in Denmark on my mother's side; in the United States on my father's side; and to this day I am on friendly terms with them. I grew up with these ideas and I was led in part by these basic ideas of the Freemasons. I never left them entirely. I have always remained in contact with foreign countries. I travelled much, that is, in Europe, with the exception of Ireland and Finland, there is hardly a state and country which I have not visited. I travelled all the way down to India, Ceylon, and Burma. I went to North America frequently and, just before the war broke out, I intended to travel to South America.

H0119 - 0040

I would like to emphasize that I was never interested in Party politics. Just the same, of course, after the September elections in 1930 produced the result that the Hitler Party surprisingly reached 108 seats, I became interested in that phenomenon; and on board ship going to the United States I read "Mein Kampf," and, of course, also the Party program at the same time.

When I arrived on the other side the first question was what my ideas were about Hitler and the Party, because everyone was speaking about these events in Germany. At that time in my first publication, which was an interview, I warned clearly and said "If you people in other countries will not change your policy toward Germany, then soon you will have many more adherents of Hitler in Germany than there are now."

All throughout the time, about two months, I spoke about 50 times in various meetings, and throughout those lectures I spoke for understanding about questions of reparation, the mistakes in the Treaty of Versailles, the economic difficulties of Germany, and I returned with the impression that the attitude of the American people toward us was indeed a friendly one, a comparatively friendly one.

Not on my part, but by coincidence, I got in touch later with the adherents of the National Socialist Party, and it was so that a friend of mine, a director of a Bank, at the beginning of December 1931, invited me to have dinner with him at his house and to meet Hermann Goering there. I did that, and the impression from the appearance and the statements of Goering were not exceptional. He was quite reticent and modest, and he invited me to come to his house once and meetHitler.

At the beginning of January one evening I visited Goering and his wife, together with my wife, and on that occasion Fritz Tiessen was also invited. There was the intention that Hitler would come also that evening and talk to us.

On that occasion I noticed that Goering's apartment was very modest. We had pea soup and bacon.

THE PRESIDENT: You are going too fast. Go on.

THE WITNESS: After supper Hitler appeared, and there started a conversation, which worked out in such a manner that about 5 percent of what

H0119-0041

was said was said by us, and about 95 percent by Hitler. What he said concerned questions of national interest, in which he agreed absolutely with us. No extravagant demands were stated, but, on the other hand, the national necessities of Germany were stressed throughout.

As far as social matters were concerned, Hitler expressed a number of good thoughts, especially intent on avoiding class struggle, strikes, lock-outs and labor disputes, by a main intervention of the State into labor relations and the economic leadership, not excluding private enterprise but taking measures in guiding private enterprise. It seemed to us as if these thoughts were quite reasonable and acceptable.

On the whole, as far as economic and financial political questions were concerned, he did not show any knowledge, and he did not assume to know much about it that evening; but he asked that we should have understanding for his ideas, we people of the economy, and should have sympathy and interest for them. That was the purpose of that evening.

Q I shall refer to this first conversation with Adolf Hitler later, but I should like to return to the question I have put before concerning your attitude to the Party Program and the ideology such as it is developed in the book, "Mein Kampf," mainly because you have heard here that the gentlemen of the Prosecution are of the opinion that the Party program as such in certain parts, and also parts of the book, "Mein Kampf," are of a criminal character, and that that criminal character was already noticeable at the beginning when the Party program first appeared, or the book. Therefore, I sould like to ask you to explain your attitude at that time, if possible, and also your attitude of today, toward the Party program and the ideology of National Socialism so far as it can be seen from both books.

A From the proceedings in this Court so far I did not gain the impression that the opinion of the

H0119-0042

Prosecution concerning the criminal character of the Party program was a uniform one. I myself do not find in the Party program any signs for criminal intentions.

Unification of all Germans, which plays a great role here, is always claimed on the basis of the right for self-determination. The foreign political position, the demands in the field of foreign politics, is only a demand for equality with the other nations; and that the discrimination which has been imposed upon the German people by the Versailles Treaty should be removed is quite clear.

Land and soil was demanded for the nutrition of our people, and the settling of excess population. I cannot see any crime in that, because after land and soil one added in parenthesis, colonies. I have always considered that a demand for colonies, which I considered necessary myself a long time before National Socialism came into existence.

In my opinion, going somewhat beyond the limits were the points concerning the exclusion of Jews from civil rights, but, at the same time, it was quite satisfactory that the Jews should be under the same law, regulated by the same law which regulated foreigners in Germany. I have always demanded this legal protection should be given to the Jews, in fact under all circumstances. Unfortunately, they were not given that protection.

Besides, it was pointed out that all citizens should have the same rights and duties. Public instruction, public education, was stressed, and also sports for the improvement of public health. The struggle against the conscious political lie was demanded, which Goebbels very strongly led later. And, above all the demand was made for the freedom of all religions, and the point of view of a positive Christianity was taken.

That is, mainly, the content of the National Socialist Party program, and I cannot find that therein is found anything criminal. It would be quite peculiar if the world for one decade had continuously had political and cultural contact withGermany if there had been a criminal Party program.

?As far as the book, "Mein Kampf", is concerned, there my judgment

H0119-0043

was the same from the very beginnir as it is today. It is a book written in the worst kind of German, the propaganda writing of a man who was strongly politically minded, a semi-intellectual, which Hitler had shown himself to me to be always.

Subsequently in the book "Mein Kempf", and in part also in the Party program there was one point which made me think a lot, and that was the absolute lack of understanding toward all economic problems. The Party program had a few, very few, slogans, such as "Community interests come before private interests," which were not quite clear. One could understand all sorts of things, and that is quite uninteresting as far as the policy of economics is concerned, and it was quite uninteresting for me.

On the other hand, as regards foreign policy, the book, "Mein Kampf," had, in my opinion, a great many mistakes, because it always toyed with the idea that within Europe the living space for Germany had to be extended. And if these statements did not keep me from cooperating later with the National Socialist Reich Chancellor, then it was for the very simple reason that the expansion of the German space toward the East was made in "Mein Kampf", depending upon the fact that the British Government would approve of it.

H0119 - 0044

Therefore, for myself, who seemed to know British policy very well, it was quite utopian and there I didn't see any danger in these theoretical fantasies of Hitler. I did not think I had to take them seriously. It was clear to me that every violent change concerning territory in Europe would be an impossibility for Germany and would not be approved by other nations.

On the whole, "Mein Kampf" has a number of very silly and sometimes quite reasonable thoughts; especially, I should like to point out that I like two things; one was that if you are of a different opinion in political respects, that one had the duty to express one's opinion to the government; and another thought, that, though inplace of a democratic or parliamentary government, an authoritative government with a leader should be put; that still that Fuehrer could only exist if he was sure of the approval of the entire people. In other words, that a Fuehrer also depended on elections or plebiscites of the people of a democratic nature.

Q Now, Dr. Schacht, you have described the impression which you had of your first conversation with Adolf Hitler, as well as from studying the party program and reading "Me in Kampf." Did you believe that youcould work with Adolf Hitler and what were the consequences you took from that first conversation with Hitler?

A To work with Adolf Hitler was out of the question for me personally because I was a private citizen and not interested in party politics and consequently, after that conversation, as far as I was concerned, or my venture or relations in the Hitler circles, I didn't do at least -- I went back to my farm and I continued to live there. As far as I personally was concerned, I did not take any consequences but there was another consequence. I have said already that I was of course interested in participating in the fate of my country; since that conversation, I repeatedly spoke to Reichschancellor Bruenig and implored him that in continuing his cabinet, he should include the National Socialists in the Reich cabinet, because I believed that only in this way a tremendous impetus, the tremendous propagandistic strength which I had noticed with Hitler, could be caughtand could be utilized by putting them before practical tasks, governmental tasks. One should not leave them in the opposition where they could become more dangerous but one should take them into the government and see what they could achieve within the govdrnment and whether it would not kind of polish them. That was the suggestion and the very urgent

H0119-0045

demand I made to Bruenig and I wish to say that Hitler would have been quite ready at that time for it; according to my impression, Bruenig could not be had for such a policy under any circumstances and later, therefore, get caught underneath the wheel.

Q Let us start here for a moment and deal with the Party. The Indictment states that you were a Party member. Now, Goering has already said that Hitler gave the Golden Party Emblem only as a sort of decoration. Do you have to add anything to that statement made by Goering, and if you knew?

A I do not know whether it has been mentioned here. The Golden Party Emblem at that time in January 1937, was given to all ministers and not only all ministers but also all military personalities which were in the cabinet. Military persons could not become Party members; therefore, the receiving of that Party emblem did not entail membership. On the rest, I think, Goering has stated has as a witness, maybe it is necessary to mention one more thing. If I would have been a Party member, then at the occasion of my dismissal when I was thrown out in January 1943, doubtlessly the Party Court would have gone into action, because it would have been a case of insubordination against Hitler. I never came before the Party Court and even at the occasion of my dismissal when I had to return the Golden Party Emblem, one did not say that I will be dismissed from the Party because I was not in the Party. I was only told "return the Golden emblem to the Party which you received," which I promptly did. I believe I could not add anything else to the statements already made.

Q Then the Indictment is wrong in this point, that you were a Party member?

A Yes; in this point it is absolutely wrong.

H0119-0046

Q. Why didn't you become a Party member?

A. Excuse me, but there were quite a number of points of the National Socialist ideology with which I was in contrast. I do not believe that with my democratic attitude it would have been compatible to change the Party program. It was a program which, not in its wording but in its execution by the Party, in the course of time had not become any more sympathetic to me.

Q. Therefore, there were principal reasons that you did not become a Party member?

A. Yes, for principal reasons, reasons of principle.

Q. Now, a biography appeared by Dr. Reuter in 1937. There, also, it is stated that you were not a Party member but that biographer also said, also gives other reasons, more practical reasons why you did not enter because of the possibility to be more influential abroad. Maybe it is important, since the biography has been mentioned in the course of the proceedings. Will you shortly state your position?

A. I believe that Hitler at that time had the impression that I could be useful to him outside of the Party and that some of that may have reached Dr. Reuter but besides, I should like to ask not to be made responsible for the writings of Dr. Reuter; that is my opinion and especially I should like to object against the fact that the prosecutor who presented the brief against me, spoke about Reuter's book as an official document. Of course, that is only a private work of a journalist whose work I appreciate but who certainly has his own opinion.

Q. Did you, Dr. Schacht, before the July elections in 1932, did you have any public activities for Hitler?

A. Before the July elections of 1932, which brought tremendous success for Hitler, I have never been active either publicly or privately for Hitler, except that once, perhaps, or twice, Hitler sent a Party member to me who had some plans, economic, financial, or as far as currency policies were concerned, and Hitler may have told him that he should speak to me or consult me as to whether these plans were reasonable or not. That was Gauleiter Roeber

H0119-0047

of Oldenburg; and already before 1943, the Nazis in Oldenburg had already come to power and he was the Prime Minister there and he intended to have a special currency in Oldenburg, which would have as a consequence the same procedure in Saxony, and he would have done the same and Wuertemberg would have had its own money and Baden would have had its own money and at that time, I ridiculed the whole thing and sent a telegram to Hitler, in which I told him "With such miracles the economic needs of the German Reich could not be cured." If I leave out the cases of that kind which are more or less private matters, then neither privately nor publicly in writing nor in speaking, I had at all been concerned about Hitler and in no way have I ever intervened for the Party before that time.

Q. Did you vote National Socialist in July 1932?

A. No, I wouldn't think of it.

Q. The prosecution now lists a number of points from which it wants to prove that you were an adherent of the National Socialist ideology. I should list them in detail and I wish you would answer to each; first, that you were an opponent of the Treaty of Versailles. Would you like to say something about that?

A. It surprised me indeed to hear that reproach from an American prosecutor. The lieutenant who spoke is probably too young to have experienced it himself but he should know it from his education; at any rate, for all of us who have experienced it at that time, that was one of the most important facts that the Treaty of Versailles had been rejected by America and the United States and, if I am not wrong, with the tremendous disapproval of the entire American people against the Treaty.

H0119 - 0048

For the same reasons, I disapproved of the Treaty, because it was in contradiction to the solemnly declared 14 points of Wilson, and because in the field of economics there was a lot of nonsense in it which certainly could not work out to the advantage of world economy. But I certainly would not intend to blame the American people of having been adherent to the Nazi ideology.

Q The Prosecution also asserts that for a long time you had already been a German nationalist, not only a German patriot, but a nationalist and expansionist. Would you like to state your position in that respect?

A You, yourself, by emphasizing the word "patriot" have admitted the necessity of one's clarifying just what a nationalist is.

I have always been proud to belong to a people, to a nation, which for more than a thousand years was one of the leading cultural nations of the world. I was proud to belong to a nation which has given to the world men like Luther, Kant, Goethe, Beethoven, to mention only those. I have always interpreted nationalism as the desire of a nation, by moral and spiritual achievement, to become an example for other nations and to achieve a leading position.

MR. JUSTICE JACKSON: If it please the Tribunal, it seems to me that we are getting very far from the relevant charges in this case, and particularly if they are going to be preceded by a statement of the Prosecution's position.

We haveno charge against Dr. Schacht because he opposed the Treaty of Versailles; we concede it was the right of any German citizen to do that by means short of war. Nor do we object to his being a patriotic German by any means short of war. The only purpose has been to find out what his attitude in those matters was in connection with the charge that he prepared and precipitated war.

To deal with these philosophical matters separately from the war charge seems to me entirely irrelevant, and I assure the Tribunal we have no purpose in charging that it is a crime to oppose the Treaty of Versailles. Many Americans did that. It is no crime to be a German patriot. The crime is the one defined in the Indictment, and it seems to me we are a long way off from that here, and wasting time.

H0119-0049

THE PRESIDENT: What do you say to that, Dr. Dix?

DR. DIX: I was glad to hear that. I was glad to hear what Justice Jackson just said, but I have to quote from Wallenstein, "Before dinner it sounded different." There was no doubt -- and once, because I thought I had misunderstood, I even asked again -- that the criminal character of the Party program, the criminal character of the contents of Mein Kampf, and the opposition to the Treaty of Versailles which was indicative of a crime committed later, that all these things so far, repeatedly in the course of proceedings here, had been reproached to Dr. Schacht in order to strengthen the accusation against him.

Now Justice Jackson, with a frankness for which I am very grateful, states, "We do not accuse Schacht for opposing the Treaty of Versailles; we do not assert that he was more than a patriot, that is to say, a nationalist in the sense described before, and we do not raise our arguments in the direction that our statements are indicative of the fact that his later cooperation, financial cooperation, in the rearmament program is proof indicative of his tolerating a war of aggression."

If that is stated clearly now by the Prosecution, questions which I intended to put can be spared, and then I forego gladly the mentioning of the whole subject of nationalism, I do not believe that the Prosecution will retract the accusation of expansionism, which means the increase of space in Europe, but that we will hear later.

However, I say if these accusations do not stand, then I can forego these questions.

MR. JUSTICE JACKSON: Of course I made no such statement as Dr. Dix has assumed. My statement was clearly made in the opening, and clearly is now that he had a perfect right to be against the Treaty of Versailles and to be a German nationalist and to follow those aims by all means short of war. I do not want to have put in my mouth the very extensive statements made by Dr. Dix.

My statement was made clear in the opening, and these matters as to the Versailles Treaty and nationalism and lebensraum, as political and philosophical matters are not for the Court to determine. We are not going to ask you to

H0119 - 0050

say whether the Treaty of Versailles was a just document document or not. It was a document. They had a right to do what they could to get away from it by all means short of war.

The charge against Dr. Schacht is that he prepared, knowingly,

H0119 - 0051

to accomplish those things by means of aggressive warfare. That is the nub of the case against him.

THE PRESIDENT: I think the case for the Prosecution has been clear from the outset, that all these matters are only relied upon when they were entered into with the intention of making war.

DR. DIX: Very true, when indicative of the tolerating of waging of war, and if they are not used for that purpose by the Prosecution -- which Justice Jackson has not yet stated -- then I can forego these questions.

But there seems to be no possibility of doubt -- I believe I did not misunderstand the Prosecution -- that the intentions of Dr. Schacht toward an aggressive war were based on these facts, that he was an opponent of the Treaty of Versailles and that he agreed with the intentions of increasing living space. We do not want any academic or theoretical discussions or disputes about the ideas of Lebensraum, but as long as these ideas are considered to be proof of his intentions, he has to have the opportunity of telling the Tribunal just what he meant by Lebensraum, if he may have mentioned it, which I do not know. But I believe, although there is still some matter not quite clear between Justice Jackson and myself, and --

THE PRESIDENT (Interposing): What you were asking him about was his views upon nationalism. That is what you were asking him about, his views upon nationalism, and that seems to be a waste of time.

DR. DIX: I have put it up to him that the Prosecution said he was a nationalist and an expansionist, and as a consequence he planned an aggressive war in financing armament, and he has to show --

THE PRESIDENT (Interposing): What Mr. Justice Jackson has pointed out is that the Prosecution have never said that he simply held the views of a nationalist and of an expansionist, but that he held those views and intended to go to war in order to enforce them.

DR. DIX: Yes, your Lordship, but that these opinions and attitudes were proof that he had the intention of contributing to aggressive war, that

H0119-0052

which we jurists call an indication of his malicious intent, and as long as the reproach which Justice Jackson has made is just an argument of the Prosecution --

THE PRESIDENT (Interposing): There is no issue about it. He agrees that he did hold these views. Therefore, it is quite unnecessary to go into the fact. The Prosecution say he held the views; he agrees that he held the views. The only question is whether he held them with the innocent intention of achieving them by peaceful methods, or whether he had the alleged criminal intention of achieving them by war.

DR. DIX: I only wish to say one more thing to that. Expansionism has not yet beendiscussed, because if Dr. Schacht should have had expansionist intentions, then Justice Jackson certainly would not say that he had nothing to say against that.

THE PRESIDENT: Dr. Dix, I think that you may ask him questions about the expansionists, his ideas of what expansionists were, what he meant by expansion, but for the rest it seems to me you are simply proving exactly the same as the Prosecution have proved.

DR. DIX: That is quite according to my opinion.

THE PRESIDENT: We will adjourn now.

(A recesswas taken until 1400 hours.)

H0119-0053

Official transcript of the International Military Tribunal in the matter of The United States of America, the French Republic, the United Kingdom of Great Britain and Northern Ireland, and the Union of Soviet Socialist Republics against Hermann Wilhelm Goering et al, Defendants, sitting at Nurnberg, Germany, on 30 April, 1946, 1400-1700- Lord Justice Lawrence presiding.

HJALMAR SCHACHT -- Resumer

DIRECT EXAMINATION -- Continued.

BY DR. DIX:

Q. I believe, Dr. Schacht, that both of us will have to speak a little slower and pause between question and answer.

Now, please reply to the accusation by the prosecution that you had been an expansionist. Please define your position.

A. Never in my lief did I ever demand even a foot of space that did not belong to Germany, and never had I an idea to that effect.

I am of the opinion that one is neither national when one tries to dominate foreign peoples, nor is that a political justice when foreign countries are seized. These are two questions with which we are much concerned at present.

I might perhaps add, in order to clarify my position, just what I understand by nationalism, and just why I was against each and every form of expansionism. Just one sentence will suffice, a sentence from a speech which I made in August of 1935. On that occasion I said, and I quote:

"We shall want to express that self respect requires respect for others, and our special task, or our special nature, does not mean that we will make derogatory remarks about others; that if we revere the acts of others we in that way revere our own action; and that an economic rivalry can be prevented through example but not through methods of violence."

Q. According to the opinion of the prosecution, in the year 1936 you made a public threat of war, at which occasion you are alleged to have said that the spirit of Versailles was instrumental in keeping alive belligerency.

H0119 - 0054

I am referring to document AC-415, a document to which the prosecution has referred.

A. I never understood, in the course of this proceeding, how there could be a threat of war in this quotation. The quotation concludes with the words--and I must quote in English because I just have the English words before me:

"The spirit of Versailles is perpetuated in the fury of war, and there will not be a true peace, progress, or reconstruction until the world desists from this spirit. The German people will not tire of pronouncing this warning."

The conclusion says that the German people will not tire of pronouncing this warning. It seems to be a matter of course that hereby an expression is given to the fact that I am warning others from perpetrating the fury of war. I am not warning only ourselves, but the entire world, to avoid the spirit of Versailles.

Q. The prosecution further accuses you in this connection that you publicly perpetrated the idea of Lebensraum, living space, for the German people. In this special connection reference was made to the speech you made at Frankfurt on the 9th of December, 1936, inwhich you said that Germany had too little Lebensraum for her people.

A. This speech of the 9th of December, 1936, was a speech which was solely concerned with the colonial problems and rights of Germany. I never demanded any Lebensraum for Germany other than the colonial space. And in this instance, again, I am surprised that just the American prosecutor would accuse me of my efforts in this behalf, because in the fourteen points by Wilson, which regrettably were not adhered to later on, we, the Germans, are given consideration for our colonial interests.

In consequence, I said, again and again,

H0119-0055

"If you want peace in Europe, give Germany an economic outlet into which Germany can develop and from which she can satisfy her needs. Otherwise Germany will be a center of unrest and a problem for Europe."

I would like to quote one sentence only from a speech I made on one occasion:

"Peace in Europe, together with the peace of the entire world, is dependent upon whether the densely populated spots of Central Europe will have the possibility of life or not."

I emphasized this viewpoint again and again, but at no time did I connect these views with an armed conflict.

I would like to quote another sentence from this same speech:

"I did not mention this consideration as to the parts of Germany which were separated from her in order that we might draw the conclusion of ideas of revenge; my entire position amd my work is marshalled to the objective of bringing about peace in Europe through peaceful considerations and negotiations."

THE PRESIDENT: Will you please give me the PS numbers and the exhibit numbers of those two speeches?

DR. DIX: I can't at this moment. Your Lordship, I am sorry, but I will try to get these numbers and submit them in writing. The last speech refers to the speech at Frankfurt, and the others---

THE PRESIDENT: That is quite all right. You will let us know in writing.

DR. DIX: Yes, indeed.

A (Continuing): Perhaps I might refer to two other sentences from my speech, an article which was published in Foreign Affairs. the well-known American magazin in the year 1937. I have the German translation before me, which says, in the introduction, and I quote:

"I am making these introductory remarks in order to clarify the situation. The colonial problem today, as in the past, is not a question of imperialism or militarism, but today is purely and simply a question of economic existence."

Perhaps I might refer to the point that very influential Americans agreed with this view of mine. I have a statement made by the collaborator of President Wilson, Colonel House, who made a distinction between the "haves" and "have nots", and who was especially influential in speaking for the German colonial problem.

H0119 - 0056

Q Perhaps I can dispense with this. In this connection I would like to point to document submitted by the Prosecution, L-111, U.S.A. Exhibit 630. This document is concerned with the conversation which you had with the American Ambassador, Davies, and in which you are accused of having threatened a breach of peace indirectly.

A I have already set forth just now that I said constantly that Europe cannot have peaceful development if there is no means of livelihood for the completely overpopulated Central Europe, and I believe conditions at present show how absolutely right I was -- just what a problem it is and almost what an impossibility to feed these masses of people. And beyond that I had a lively interest to divert Hitler's interest and ideas from the East, and therefore was constantly interested to give him an interest in the colonial idea so that I could divert himself from the crazy ideas of expansionism in the East, and I recall that in 1932, shortly before he assumed office, I had a conversation with him at which for the first time I approached him on these facts and above all told him what utter nonsense it would be to think of an expansion in the East.

Then, constantly, in the subsequent years, again and again, I spoke about the colonial problem until at the last in the summer of 1936 I had the possibility to follow my ideas and Hitler gave me the mission which I had suggested to him, that I might go to Paris to discuss the possibility of a satisfaction to Germany as far as the colonial problem was concerned and to discuss this problem with the French Government. This actually did happen in the summer of 1936. And for the satisfaction of myself and all other friends of peace, I might say that the regime of Leon Blum which was in office at the time brought as grateful an agreement and understanding regarding the food problem of Europe and that the Government of France under Leon Blum for their part was ready to deal with the colonial problem with the thought of perhaps returning one or two other colonies to Germany. Leon Blum then undertook an agreement with me to inform the British Government about these conversations so that the agreement of the British Government might be reached and to bring a discussion of this problem into being. That actually did take place, but the English Government hesitated so long and when it finally could decide on taking a position in this matter the discussion dragged on up to the beginning months of the Spanish civil war and was eclipsed and supplanted by the problems of the

H0119 - 0057

Spanish civil war, so that a continuation of the discussion on this colonial problem did not take place.

At that time, in January of 1937, when the American Ambassador to Moscow, Ambassador Joseph Davies, visited me at Berlin, I was a little bit put out about the slowness with which the British Government was meeting these suggestions of mine, and consequently I came forth with a request for understanding, told Ambassador Davies about this whole matter. I already told him that I tried to work with the representatives of the American Government. I tried to get help and understanding and I tried again and again to advise these gentlemen about domestic developments and domestic conditions within Germany, to tell them as much as possible and to keep them posted and as true friends -- Ambassador Dodd and the other ambassadors who were at Berlin.

This conversation with Ambassador Davies -- documents submitted, Prosecution L-111, is concerned with this conversation with Ambassador Davies, and it is taken from the book which Ambassador Davies wrote about his mission in Moscow, and we will most probably refer to this book later on.

As a quintessence of my conversation with Davies, I would like to quote just one sentence again, which I would like to quote in English, since I have just the original from the original text at my disposal.

"Schacht's earnestly wrote that some feasible plan could be developed if discussions could be opened and that if successful would relieve the European war menace and relieve peoples of enormous expenditures for armament, that international commerce would give outlet to swift and natural abilities of his countrymen, and change the present desperation into future hope."

Q In this connection the affidavit of Fuller plays an important part, that is the exhibit US 629, and E.C. 450. According to this affidavit, you alleged declared to Fuller that if Germany could not get colonies through negotiations Germany would just take these colonies. Please define your position as to this statement.

A In a German drama an intriguer is being instructed to do a man of honor dirt, so to speak, and in this connection he says as an answer, "Just give me one word, said by this man, and I will hang him thereby." I believe, my Lord Justices, that in this court room there isn't a one who at one time or another in his life has said a rather unsuitable word. And how much easier is it when he is speaking in a foreign language of which he is not a complete master!

H0119 - 0058

Mr. Fuller is known to me as a respectable businessman, and this discussion which he reduces to affidavit is indubitably reduced according to the best of his knowledge. He himself is saying correctly that even if he had tried to reproduce and put down the exact words he could not guarantee that each and every word had been said. But if I did say these words, I meant only what I said and nothing else, that we Germans must have colonies and we shall have them. Whether I said, "We will take them," or "We will get them," that, of course, it is impossible for me to say with assurance today after a period of ten years have elapsed.

According to the accusation, the expression, "We will take them," these words are a little bare in effect and colorless and therefore I believe he just added a trifle, for he said twice in his indictment that allegedly said that we would take these colonies by force, and on a second occasion he said that we would take these colonies by the force of arms. But the force of arms are not mentioned in the total affidavit of fuller. Not a word to that effect is mentioned and even if I had used that word or had even just alluded to the French, Mr. Fuller would have had to say reasonably enough, you just tell us that you wanted to take the colonies by force; how do you expect to do that? It would have been utter nonsense to assert that Germany would be able to take overseas colonies by force. She lacked the predominance of the sea which was necessary for this process.

Fuller did not take exception to my manner of expression and in his conversation he continued immediately -- and I quote;

H0119 - 0059

"A little while ago you mentioned that your necessary war materials could not be obtained through German lack of foreign exchange. Would stabilization help you?"

Therefore, rather than to become excited about the fact that I wanted to take colonies by force-- something which I never said and which is contrary to my nature and my belief -- he immediately goes on to foreign exchange and to stabilization.

Q The Prosecutor asserts further that you were interested in the conquering of neighboring states in Europe.

A This matter is not quite as harmless as the previous accusation by the Prosecution. In a previous interrogation, I was accused and the interrogator referred to the fact -- and I quote the interrogator,

"On 16 April, on the occasion of the Paris conference in connection with reparations payments, Schacht said, 'Germany can pay in general only if the Corridor and Upper Silesia are returned to Germany'".

This is the interrogation of 24 August 1945. According to the verbatim record of the interrogation, I answered:

"It may be that I have made such a statement."

Of course, as far as the wording of an utterance which I had given ten to fifteen years before, naturally, I did not recall the wording of that expression but I did remember that in connection with the Corridor and Upper Silesia I had made a remark, and since I had to assume that if the Prosecution submitted this record to me, that it would be a stenographic and a correct record. For that reason, I did not dispute this remark that I allegedly had made, and I said that it might be that I said something to that effect. The Prosecution takes a "maybe" and out of that reconstructed the following sentence:

"This quotation was read to Schacht, and he said it to be correct."

This assertion by the Prosecution is therefore wrong. I said, "It may be that I said something to that effect," but I did not say that this statement that was submitted to me was correct.

Then, fortunately, in my imprisonment here, I succeeded in getting hold of my book, a book which I wrote about the ending of reparations payments, which was published in 1931 and in which I put down my statement about the matter

H0119 - 0060

which we are dealing with now, and I have the exact wording and I would like to say that this book has been submitted in evidence and from this wording the following arises, which I said verbatim:

"Regarding the problem of German food and food supplies, it is especially important that import of foodstuffs has been decreased --"

I beg your pardon -- "That import will be decreased." I am sorry again. I am not reading correctly:

"That the import of foodstuffs will be decreased and partially made up th through home production. Therefore, we cannot let the fact be overlooked that agricultural surplus territories in the eastern part of Germany have been lost by surrender and that a large territory which was almost exclusively agrarian, has been separated from the Reich. Therefore, the economic welfare of this part of the territory is decreasing steadily and the Reich Government must support it constantly and subsidize it. Therefore, suitable measures should be taken to eliminate these conditions, which are hindering Germany's ability to pay".

That is the end of the quotation.

DR. DIX: Your Lordship, this is from our document book, Exhibit 16, German page 38, English page 44.

A This quotation absolutely does not agree with the statement submitted to me in the interrogation, and in no way can we draw the conclusion in consequence that I was for taking back of these areas. What I demanded was that the fact of the separations of these areas be considered when Germany's ability to pay was taken into account and should be given consideration. If now the Prosecutor in his speech erred and said, "I would like to point out that this area is t the same about which in September 1939 the war started," I believe it is an insinuation which characterizes the interrogator.

Q As far as circumstantial evidence is concerned, that is, the indirect evidence of which you are accused of a will to aggression, the Prosecution is asserting that you had a wish for the Anschluss of Austria. Will you please take your position as to this accusation?

A The Anschluss of Austria was considered since 1919 as inevitable by me, and spiritually and culturally it was considered something to be hailed. But that the Anschluss of Austria would not be an aggrandizement for Germany, but rather

H0119 - 0061

a detriment to Germany, that is something I never concealed, but the wish of the Austrian people to belong, to be incorporated into Germany -- I took that wish as my own and said that if here there are six and a half million people who made public utterance of their wish and made a spontaneous wish, even in 1919, to be incorporated into the larger Germany Reich, that was a point to which no German could be opposed, but had to hail it with gladness as in the interest of Austria, and in that sense I was always for the wish of Austria to belong to the Reich and to respect that wish, if the Anschluss could be carried through in line with political interests.

Q My attention has just been called to the fact that you are still speaking too fast and that the interpretation is lagging behind a little bit. Will you please speak a little slower.

What was your opinion as to the incorporation of the Sudetenland into Germany?

A Concerning the incorporation of the Sudetenland, I never thought of any such thing. Of course, Czechoslovakia was a European problem, and it was regretable that in that state, which had five and a half million Czechs, two and a half million Slovaks and about three million Germans, the German element had no means of expression in that state, but just because the Czechoslovakian problem was not a purely German-Czech problem but also a Slovak-Czech problem I sought solution of this problem in such a way and wished it to be in such a way that Czechoslovakia should constitute a federated state, similar, perhaps to Switzerland; that it would be a political unit and perhaps culturally separate, so that the unity of her German, Czech and Slovak states could be guaranteed.

H0119-0062

Q. What was your opinion and attitude to the problem of the war; by that I mean, as far as telepathy, ideology, and practical considerations are concerned?

A. I always considered war as one of the most devastating things to which mankind is exposed and on basic principles throughout my entire life I was a pacifist.

Q. Dr. Schacht, you certainly during your life of thoughts and contemplations most likely thought about the basic and deep differences between true and ethically based soldierism and militarism and its degenerate forms. What did you mean by the latter and what was your attitude toward the latter, that is, militarism?

A. Of course I saw the necessity of defense of country in a serious case of threats and I stood for that theory. In that sense I was always in favor of a Wehrmacht armed forces, but the profession of a soldier I considered to be a lot of deprivation and of a willingness to sacrifice, not because perhaps during a war the soldier has to give up his life -- that was the duty of every citizen -- but because this entire effort was martial to the fact that the trade which he had learned should never have to be put into practice. A soldier, a professional officer, a career officer, who is not a pacifist by nature and by education, has really missed his calling in my opinion. Consequently, I was always an opponent of every military digression and excess. I was against militarism, but I considered that a soldierdom of responsibility was the highest calling to which a citizen could be called.

Q. Now, George Messersmith says, as you know, Consul General of the United States at Berlin, in one of his various documents and affidavits produced by the Prosecution, that you had told him, and repeatedly told him, about intents of aggression on the part of the Nazis. Will you please state your position in that regard?

A. First of all, I would like to remark that I never made a statement of that sort, neither to Mr. George Messersmith, nor to anyone else. As far as these three affidavits of Mr. Messersmith are concerned, and which were submitted by the Prosecution, I would like to make a further statement to that.

H0119 - 0063

Mr. Messersmith asserts of having had frequent contact with me and of having had numerous private conversations with me, and I would like to state here now that, according to my exact memory, I saw George Messersmith two or three times in my entire life. Mr. George Messersmith is picturing himself as having had numerous contacts and many private conversations with me, and he asserts further that his official capacity brought me in contact as president of the Reichsbank and as minister of economics.

I do not recall having received Mr. Messersmith once in my office. Mr. George Messersmith takes these two or three discussions and wants to characterize me. He calls me cynical, proud, doubletongued. I am, unfortunately, not in a position to give an equally comprehensive picture of the character of Mr. Messersmith, but I must dispute his credibility of reliability.

I would like to quote a rather general remark by Mr. Messersmith, too, as a basis. In his affidavit of the 30th of August, 1945, PS-2386, Mr. George Messersmith says, and I quote:

"When the Nazi Party took over Germany, it represented only a small part of the German population."

Contrary to that, I would like to say that, before the taking over of Germany by the Nazi Party, it had about forty per cent of all Reichstag seats and that Mr. Messersmith calls it a small part of the German population. If diplomatic reporting is as reliable as it is everywhere, it is a small wonder that nations do not understand each other.

I would like to correct a specific remark by Mr. Messersmith. Mr. Messersmith asserts, as I have quoted just a minute ago, that his duty brought him in contact with me as minister of economics. In his affidavit of the 28th of August, PS-1760, Mr. Messersmith says, and I quote:

"During the reign of terrorist activity in May and June of 1934, I had already assumed by duties from Vienna."

In August of 1934, I became minister of economics, whereas, on the other hand, Mr. Messersmith, already in May of 1934, assumed his official duties at Vienna; but this does not prevent Mr. Messersmith from asserting that his official duties brought him in contact with me, and in frequent contact with

H0119 - 0064

me, as minister of economics. I believe this will suffice to show the memory of Mr. Messersmith and to present it in the true light.

Q. In a similar connection, the Prosecution repeatedly referred to the diary of the former Ambassador in Berlin, Mr. Dodd, which diary was written by his children after his death on the basis of his private entry. This document has the number US-461. The Prosecution quotes from this diary repeatedly with the hope of proving that Mr. Dodd, too, considered you a warmonger. I know, of course, that you were a friend of Mr. Dodd's, a fact which is shown in his diary. Can you tell me how the two statements can be reconciled?

A. First of all, I might say that Ambassador Dodd was one of the most decent personalities I have always met. Undoubtedly, he was professor of history, a good historian. He had studied at universities. I believe that he would turn in his grave if he could know that the notes which he put down rather casually were put together without commentary and without investigation and printed.

Mr. Dodd, I am sorry to say, had one characteristic which made dealing with him a little difficult. I am referring to his steadfastness of character which made him more cautious as far as strangers were concerned. He found it rather hard to find himself understood easily and fluently, and he was hardly in a position to receive opinions of others in the right light. Many things that were told him were misunderstood by him, and he saw these things in a wrong light.

On page 176 in his diary, in the lower corner, there is one sentence I would like to quote, which shows the point I am trying to make. Here he says: "I talked fifteen minutes with Phipps, the Ambassador at that time, without accumulating evidence of Germany's intensive war activity." This statement dates from the autumn of '34 and I believe no one is able to say that in the autumn of 1934 there was any thought of a war activity on the part of Germany.

Mr. Dodd uses the expression "war" undoubtedly in the place of armament. He says "war" instead of "armament". In that sense, I believe he misinterpreted my words. And, as further evidence for the difficulty which one

H0119 - 0065

had in order to make oneself understood to Dodd, that the Foreign Office asked him at one time to please bring a secretary for the discussion with the Foreign Office, a secretary who could take notes so that misunderstanding would be avoided.

H0119-0066

I believe, therefore, that part of these statements by Mr. Dodd are apt to be misunderstood, and I can only say what I have already said about Mr. Messersmith, that of course I never talked about intent of war.

Q Now, in this diary it says that he was friendly to you. Do you have any proof for this friendly position to you?

A Mr. Attorney, if perhaps I might refer to the correspondence with Henderson--

Q Yes, we will deal with that later.

A Then I shall just confine myself to this question. Dodd was entirely friendl to me, and I respected him deeply. As a sign of his friendship I saw that shortly before his departure from Berlin in December of 1937 he visited me at my home, and this incident is also dealt with in his diary, and I would like to quote just one sentence: "I went to Dr. Schasht's home in Dahlem. I wished especially to see Schacht, whose life is said to be in danger." End of quotation.

In other words, Mr. Dodd had heard of an imminent attack on my life on the part of National Socialists, and considered it important enough and took it as a reason for coming to my home personally in order to warn me.

A second piece of evidence of his friendship towards me can be seen when he pai his final visit to me just a few days before he returned to America. At that time he again called on me and told me urgently that I should go with him, or as soon after him as possible, to America, to change my residence to America; that I would find a very pleasant welcome in America. I believe he would never have said that t me if he had not had a certain degree of friendship for me.

Q These are express services of friendship, and it can hardly be assumed that the deceased ambassador would have done you these good sevices if he had considere you a warmonger and a friend of the Nazis, and especially--and I would like to say this for the benefit of the High Tribunal-- I would ask you to define your positio to see whether I am correct, if one thinks and remembers that Mr. Dodd belonged to the few accredited diplomats in Berlin who very obviously had no sympathy of any sort to the regime in power, on the other hand, met it with 100 percent opposition

Dr. Schacht, please, I would like you to define your opinion on that which I a saying. You will remember that those diplomats who politically and socially kept their distance from Hitler's regime, as the ambassador from Holland, Monsieur Limb Stirum, or the amnassador from Finland, who was a great Social Democrat, Rujloki, how most of these diplomats were recalled by their Governments. How was it that a Nazi opponent like Dodd could have done you such

H0119-0067

great services of friendship, could have done these services for someone whom he considered a friend of the Nazis? Do you agree with my opinion?

A. Yes. I am entirely of the same opinion.

MR. JUSTICE JACKSON: I certainly object to going into this kind of sermonizing back and forth between the box and the bar. It seems to me that the witness has been allowed to say everything that Mr. Dodd has ever written and to put in his mind what he thinks Dodd meant. He has allowed him to go to great lengths characterizing all American representatives, but it seems to me that this is utterly off the track, and improper, for this witness to give a characterization of him in comparison with other ambassadors and other diplomatic representatives.

There is no request here for information about facts. I reiterate, we are not accusing Dr Schacht here because of his opinions. We are accusing him because of very specific facts which there seems great reluctance to get to and deal with.

THE PRESIDENT: I think you should go on, Dr. Dix, and pass from this part of it, pass on from these documents.

DR. DIX: Perhaps I might mention very briefly that it is entirely too far from me or from Dr. Schacht to give our opinions on political or diplomatic personalities, but, on the other hand, if the Prosecution

H0119 - 0068

produces the affidavits or diaries of these diplomata and uses these documents as pieces of evidence against the defendant in this proceeding, the defendant--

THE PRESIDENT: The Tribunal thinks that if you would put questions and put them shortly, it would be much better, and we should get on much faster.

DR. DIX: Yes. I have been trying to put brief questions, your Lordship. I only said what I did at this point, because I would like to follow the procedure as prescribed by the High Tribunal, and I would like to shorten the time to be used in documentary material.

I would like to deal with the reliability of Dodd's diary. That is Exhibit 43 in my document book; German text, page 194; English text, page 202. Here we are concerned with the correspondence between the published of the German diary and Sir Neville Henderson. It deals with some misstatements and misquotations of the German diary. I will dispense with a rather long letter by Sir Neville Henderson -- there are five long pages -- and will cite just a few short sentences.

On page 196 of the German text, Sir Neville Henderson writes: "Take, for instance, the first statement attributed to me about Neurath. It is entirely impossible, as far as Hitler is concerned --" and so on and so forth.

Then on the same page, in the middle of the page, next paragraph:

"And it is the same with the general discussion. It is quite inconceivable that I should have spoken, as Dodd records, about Bismarck and annexing Czechoslovakia and other countries."

And on the same page, a little further down, next to the last sentence, it says: "Nor could I possibly have said that 'Germany must dominate the Danube-Balkan zone.'"

And on the next page, second paragraph: "The remark attributed to me that England and Germany 'must control the world' is pure balderdash and hardly fits in with the preceding sentence about the United States."

Now, there are other similar passages on the following few pages, but I do not believe it necessary for me to quote them. I request the High Tribunal to take official notice of this document in its entirety, and I would like to submit it as such.

H0119-0069

BY DR. DIX:

Q. Dr. Schacht, a little while ago you mentioned a warning on the part of Ambassador Dodd with regard to a danger which was threatening you. Was it an attack on your life?

A. At that time -- and I only heard about this after Mr. Dodd told me in January -- that from the SS an attack on my person had been planned. The intent was, as the technical expression was, to remove me.

H0119-0070

Something like that must have been in the air; otherwise, a foreign ambassador and the circles close to me would not have known about this.

Q Just a little while ago you set forth your policy of understanding, the equality of rights and how you rejected the use of arms. Did you try to do anything in a practical way when you were the president of the Notenbank?

A My entire work as president of the Reichsbank was based on the promise, first of all, that as far as my sister banks in foreign countries were concerned, to work as harmoniously as possible with them and to carry on a policy of mutual assistance and support.

Secondly, as far as the directors of all these banks were concerned, I had personal, friendly relations with them and tried to negotiate friendly relations with the hope of finding understanding for German problems and to contribute to the fact that these difficult problems which had arisen in central Europe might be solved by way of cooperation and mutual assist- and working together. The word "cooperation", Zusammenarbeit, was used. It was the leit motiv in our circle.

Q And how were your foreign creditors concerned in this?

A As I already said a little while ago, first of all, I was in disfavor with the money makers from the start, those people who had profited from German loans abroad, for I was against the policy of Germany owing money abroad, and I took my stand very firmly against this.

Then later, after the misfortune which had been predicted by me actually did come to pass, after the financial crash in the year 1931, these self-same financiers and money men accused me that I was to blame that the interest on their money was not being transferred to them. In those circles I did not gain any friends, but in the circles of serious bankers and large banking institutes who were interested in a constant and regulated order of business with Germany, I believe in that circle I did not create any enemies, because I tried to take all steps and measures which I had to take in order to maintain German foreign trade.

All of these measures were always discussed jointly with the foreign representatives. Approximately every six months we met, and I always gave

H0119-0071

them an itemized account of German conditions. They were permitted to look into the books of the Reichsbank. They could interrogate the officials of the Reichsbank and take them to account, and they always told me that I told them everything in the most frank and open manner. So that I may be able to say that I lived and worked in the most friendly manner possible with these men.

Q And how did your policy of understanding affect export, credit, foreign trade, and so forth?

A I believe today, after the happenings that have just taken place, it is even clearer now than it was prior to this date that Germany cannot live and could not live without foreign trade, and that the maintenance of export trade must be the basis of the future existence for the German nation.

H0119 - 0072

Consequently, I did everything in order to maintain German foreign trade. I can quote a few specific examples in line and alongside general principles. I tried to do business with China in order that we might export to China and I was ready to give China credit and hailed the fact when the traffic union kept up an extensive flow of trade with us and I was always interested in expanding this foreign trade and to put it on a stable basis, especially in Russia as well as China; about the ability to pay and the readiness to pay and the promptness of payment of the opposite parties and I never had any doubts on these points.

THE PRESIDENT: He is going into unnecessary detail in support of the allegation that he tried to maintain export trade. We don't surely need details.

DR. DIX: As far as the Soviet Union is concerned, this exposition is of tremendous significance and relevance. This fact shows Schacht contrary and in opposition to the policy carried out by Hitler. Hitler was hostile to the Soviet Union and this hostility is counterbalanced by friendliness in the person of the Minister of Economics Schacht, and if I can prove that Schacht was a pioneer fighter for a policy of understanding even in phases where Hitler carried on his animosity as far as the Soviet Union was concerned, in my opinion, it is very important for Schacht as far as the understanding on the one side and the understanding on the other; this is a very important point.

THE PRESIDENT: The defendant has made the allegation. It is for the prosecution to dispute it in cross examination and if they do, then the details might become material in re-examination.

DR. DIX: I believe the question has been answered and now I shall turn to an entirely new phase of questioning. Since it is typical to show his policy and his will for understanding and his direct opposition to the basic policy of Hitler, I would like to refer to my Exhibit No. 34, which is an affidavit of Banker and Swedish Counsel General at Munich, Schniewind. This is exhibit 34. The English translation, page 114, and I would like to quote a few sentences from that, starting with page 12 of the German text. This paragraph concerns what Dr. Schacht has testified---Schniewind, who was a high

H0119-0073

official in the Ministry of Economics, says here:

"In my sector the Reich guarantees for supplies to Russia were dealt with and therefrom I know that Schacht considered the fighting of Russia by Hitler was wrong. Through much effort, he saw to it that supplies were sent to Russia, expecially machines; frequently was under the impression that Mr. Schacht was in favor of the sending of supplies because they gave work to people but were not favorable to rearmament. Mr. Schacht in public pointed out with satisfaction that nothing was taking place as quickly and as nicely as the supply of goods to Russia."

It is just a few more minutes until the customary recess, your Honor, and before we take our recess, I ask that I be permitted to reply to your Lordship's remark of a few minutes ago. The defendant must, up to a certain degree, find it very hard to exonerate himself. The prosecution very simply argued that "You helped to finance rearmament and this rearmament in the final analysis ended in war and not only a war but a war of aggression; therefore, you as a defendant are either a conspirator or an accomplice and that is a war crime."

As far as the argument is concerned, in my opinion, it must be open to the defendant, first of all, to call attention that rearmament as such did not show a will to aggressive war; and secondly, also, it could show also that he committed acts which would point to the exact opposite which showed his will for agreement and will to peace; and as far as these basic principle and reasons are concerned, I beg the Tribunal not to cut me short in this evidence but rather give me the time to carry it through; and therefore, also, my desire to set forth Schacht's policy to the Soviet Union, a policy in which he was in direct opposition to Hitler, and to bring it forth in its entirety. Therefore, my wish is to show in all spheres and in every respect and in every phase, he was for understanding; that is, a policy of give and take rather than follow a policy of unilateral terrorizing.

Gentlemen of the bench, it is chiefly a psychological piece of evidence which I have to follow through and that is a very sensitive field and I ask that I be helped rather than hindered. Then, when the witnesses are called,

H0119-0074

I will dispense with most likely every witness except one and will cut short the time which I am now taking up, and I beg that you show me some consideration. Does your Lordship consider it time for a recess?

THE PRESIDENT: Yes, certainly, Dr. Dix. I thought that the Tribunal has shown you every consideration, and we will now certainly have a recess.

(A recess was taken.)

H0119 - 0075

BY DR. DIX:

Q Dr. Schacht, what was your attitude toward the "Fuehrer Principle"? Didn't that mean the danger of giving a blank check; the danger of losing your own responsibility? You have heard that Sir David considers the "Fuehrer Principle", as such, criminal?

A Whether the "Fuehrer Principle" is criminal or not, -- opinions throughout history are divided. If we look back through Roman history we see that from time to time in dire periods of distress a leader was selected to whom everybody else was subordinate. And if you read "Failure of a Mission" by Henderson you find sentences there also in which he says:

"People in England sometimes forget and fail to realize that even dictators can be up to a point necessary for a period, and even extremely beneficial for a nation."

Another passage from the same book says:

"Dictatorships are not always evil. In other words, it is important to note just what is attributed to a fuehrer; how much confidence one has in a fuehrer; and for how long a time." Of course it is quite impractical that somebody should assume leadership in a country without giving the possibility to the nation from time to time to say whether the nation wants to keep him as fuehrer or not. The election of Hitler as fuehrer itself was not a political mistake; in my opinion one could find quite a number of limitations in order to avoid that danger which you have mentioned. I have to say that one has not done so, and that was a mistake. But perhaps one could depend on the fact that from time to time a referendum, a plebiscite, a new expression of the will of the people could take place by which the fuehrer could be corrected, because a leader who can not be corrected grows of course into a danger, and that danger I recognized very well; I was afraid of it; and I have attempted to remedy it. May I say one more thing?--party propaganda without limits was attempted to bring the fuehrership thought as a lasting principle into politics. That of course is nonsense, absolute nonsense, and I have tried to express my deviating opinions publicly whenever it was possible. I was looking for opportunities, and found one in a speech before the Academy of German Law where not only Nazis but lawyers of all

H0119-0076

groups were in attendance, and in that speech I lectured about the "Fuehrer Principle" in economy. And I expressed myself ironically and specifically and said that it is not necessary to have a leader in every hosiery factory. That was no principle, but a rule of exception which has to be handled very carefully.

Q I know that, because I was present at the occasion of that speech. What did you think about the ideology of the "master race", "Herrenvolk"?

A I have always considered it a very disagreeable fact if one spoke of a chosen people, or of God's own country , or of things like that. As a convinced adherent to the Christian faith I stand on the platform of the "love-thy-neighbor" policy, and I should like to extend that to all people without regard to race or faith. I would like to state also that that talk, that gossip about the master race, which wome Party leaders used to disseminate, was exposed to ridicule also by the German public. That was not surprising, because most of those leaders of the Hitler party were not exactly types of the Nordic Race. And in that connection, little Goebbels, among the population when things like that were discussed, was known under the title "Der Schrumpf Germane" (the shrunken German).

Only one thing more, to be just I have to express here that one thing which most of the leaders of the Party had in common with the old Germans---they only attempted one thing---and that was drinking; excessive drinking was the main factor of the Nazi ideology.

Q What did you think of the so-called NationalSocialist ideology?

A An ideology (weltanschaung) in my opinion is a summation of all those model principles which enable me to require a certain clear judgment about all aspects of life. Therefore it is a matter of course that an ideology can not be founded within the visible word,

H0119-0077

one has to go beyond that; it is something metaphysical, that is to say, it is based on faith, on religion, and an ideology which is not based or rooted on religion in my opinion is no ideology. Consequently I rejected the National Socialist ideology, which is not rooted in religion.

Q In the trial brief against you it is expressly stated that there are no charges against you with regard to the Jewish question. Just the same I have to put to you also, concerning this complex situation, a few questions, because the very same trial brief on the other hand takes from you what on one side is considered conceded to you, that is to say, on the one hand in that trial brief it accuses you repeatedly of Nazi ideology but not anti-semitism, but Nazi ideology would include anti-semitism--

MR. JUSTICE JACKSON: I simply can't be bound by silence after this flagrant misstatement of our position made in conjunction with this witness' testimony. It is not true that we make no charges against Dr. Schacht with reference to the Jews. What is true is that we say that he was not in complete sympathy with that aspect of the Nazi Party program which involved the wholesale extermination of the Jews, and he was for that reason attacked from time to time. It is further conceded that he gave aid and comfort to individual Jews, but we do charge that he believed the Jews of Germany should be stripped of their rights as citizens, and that he aided and participated in their persecution. And I don't like to have our position misstated and then be met with a claim of estoppel by silence.

DR. DIX: I have to thank Justice Jackson for the statement, and it is now all the more necessary that I put this question to Dr. Schacht, but at this moment --

THE PRESIDENT: Please put it then.

DR. DIX: Your Lordship, it is not only a question, but it is a problem, and I should like to ask the prosecution to clarify that point, because it still needs clarification after the words of Justice Jackson. But if the Tribunal does not think that this is the opportune time I can bring it up later. I believe, however, that it would be right to bring it up now.

I see a contradiction in the indictment and in the case of the prosecution, and I want it clarified, and I think I can do it briefly. If

H0119-0078

is the question as to whether Dr. Schacht is accused of crimes against humanity; that is, not only the crime of conspiracy concerning aggressive wars, but also the typical crimes against humanity. And their individual passages as well as what is contained in the Indictment -- I only want to take the liberty to point out the passages and to ask the prosecution to be kind enough to state whether also Count III and IV of the Indictment are to be included. In the trial brief the prosecution said "And that accounts for the fact that the prosecution will limit itself to Counts I and II. They state:

H0119-0079

"Our evidence against the defendant Schacht is limited to the planning and preparation of aggressive war and his participation in the conspiracy for aggressive war."

The same statements are on page 3 of the Trial brief. Also, in Annex A of the accusations against Schacht it is limited to Counts 1 and 2. However, on page 1 of the Indictment we find the following:

"We accuse the above-mentioned of crimes against the peace, crimes against the laws of warfare, crimes against humanity in the following sense, and of a common conspiracy to commit these crimes." And then all the defendants are listed, including the defendant Hjalmar Schacht.

On page 17 of the German text of the Indictment we read:

"On the basis of the facts previously stated, all the defendants are guilty."

It also states, on page 18 of the Indictment:

"All defendants committed, from that date on, acts of violence in occupied territories and in the territories of Austria and Czechoslovakia, and on the high seas."

On page 46 it reads:

"During several years before the 8th of May, 1945, all defendants committed crimes against humanity in Germany", and so forth.

Therefore, parts of the oral presentation and of the Indictment show a limitation of the accusation against Schacht to Counts 1 and 2, but the othe passages express beyond doubt that he is also accused of crimes against humanity.

I think it would be helpful -- and if doesn't have to be done right now, but I wanted to be sure and express it now -- if, at a later date, the prosecution would state to what extent the accusations are now made against Schacht.

MR. JUSTICE JACKSON: Your Honor, it will take only one moment to answer that, and I think the examination should not proceed under any misapprehension.

At all times, and in all documents that I am aware of, the defendant

H0119-0080

Schacht has been accused of being guilty of Count 1.

Count 1, in the stztement of the offense, states that the common plan or conspiracy embraced the commission of crimes against peace in that the defendants planned, prepared, initiated and waged wars of aggression. In the development and course of the common plan it came to embrace the commissio of war crimes in that it contemplated, and the defendants determined upon and carried out ruthless wars. And that included also crimes against humanity.

Our contention is that while the defendant Schacht himself was not in the field perpetrating these individual atrocities, he is answerable for every offense committed by any of the defendants or their co-conspirators up to the time that he openly broke with this outfit with which be became associated.

That is our contention, and Dr. Dix should conduct his examination on the assumption that every charge is a charge against Schacht up to the time that he openly, and on record so that somebody knew it, became separated from the company with which he chose to travel.

DR. DIX: It is probably my fault, but I still cannot see clearly. First, I do not know what period or what date the prosecution means when they say that he broke with the regime.

THE PRESIDENT: I think you must make up your own mind as to what time it was, the time at which he openly broke.

Aren't you able to hear?

DR. DIX: I have to make up my mind?

THE PRESIDENT: Yes. I think you had better go on with the evidence

DR. DIX: Well, I can refer to that later again.

BY DR. DIX:

Q. Well then, please do not make any principal statements concerning the Jewish question, but tell the Tribunal, and give a few examples, as to what your attitude was on the Jewish question.

A. The Jewish question appeared early, in 1933, when the deceased New York banker, James Meier, announced his visit to me. I went to Hitler at that time and told him: "Mr. James Meier, one of the best reputed New York bankers

H0119-0081

and a great philanthropist for his old home country, Germany, will come to visit me, and I intend to give a dinner in his honor. I assume that you have no objection." He immediately said, in a very definite manner: "Mr. Sch cht, you can do everything." and I assumed that he gave me absolute freedom to keep in contact with my Jewish friends, which I had done. The dinner actually took place, and so on.

I only state that because it was the first time the Jewish question was mentioned. At every occasion I took a position on the Jewish question, and wherever possible, publicly, I have always looked for that opportunity.

I will give only two examples of that.

In Amtswalde, in the province of Brandenburg, the Reichsbank had a branch office. The manager of that branch office was mentioned by name one day in the Stuermer, and the Stuermer exhibited, in one of the "Stuermer boxes" in his village, the statement that he was a traitor because his wife had bought 50 pfennigs worth of ribbon in a Jewish store.

I immediately approached the competent official at Amtswalde and demanded the immediate removal of that exhibition and an immediate correction, that that man was no traitor to the people. That was refused. Then, without asking anyone, I closed the Reichsbank branch office at Amtswalde. It took a number of weeks until, in the end, the Oberpresident, who was also a national official, came to me and asked me to reopen the branch office. I told him, "As soon as you deny that affair publicly I shall reopen the branch office at Amtswalde." It took only a few days, and then the Oberpresident and Gauleiter of Brandenburg, Gruber, made that public announcement in the Amtswalde newspaper, in large print, and I reopened the branch office in Amtswalde. That is one example.

The second example has been mentioned briefly; I just want to sum it up once more because it was very important.

After the progrom of the 9th of November 1938, at the occasion of a Christmas celebration for the office help of the Reichsbank, I referred to these things and I told the boys, in the presence of many parents and party leaders who were there present, that I hoped they had nothing to do with these things, which would make every decent German ashamed, and that they had not

H0119 - 0082

been present. But if so, they should leave the Reichsbank at once, because in an institution such as the Reichsbank, which was built up on good faith, one could not use any people who did not respect the property and life of others.

DR. DIX: May I interrupt you, Dr. Schacht, and point out to the Tribunal that in the document Exhibit No. 34, which is an affidavit of Mr. Schniewind, on page 118 of the German text and at page 126 of the English text the same incident which Dr. Schacht has just mentioned is quoted shortly. It states there, and I quote:

"It is known that he, Schacht, at the Christmas celebration of the Reichsbank in December of 1938, said the following in his address to the young office boys: 'Several weeks ago things have occurred in our Fatherland which are a disgrace to culture and which turn every decent German's face red with shame. I only hope that none of you office boys participated in it, as for such an individual there is no place in the Reichsbank.'"

BY D.R DIX:

Q. Excuse me. Please continue. You wanted to say some more.

A. When in August of 1934 I took over the Reichwirtschafts Ministry, of course I first put the question to Hitler: "How shall the Jews be treated in our national economy?" Hitler told me then, literally, "In the economy the Jews can keep doing the same thing they have been doing up to now."

That was a directive that Hitler had promised to me, and during all the time when I was in charge of the Ministry of Economy I acted accordingly.

H0119 - 0083

However, I have to say that almost every other week there was some dispute, some conflict with a gauleiter or other Party official concerning some Jewish question. Also, I could not protect Jews against physical mistreatment because that came under the competence of the States Attorney and not mine, but in the economic field, I helped all Jews who approached me and in every individual case, and in some cases I had to threaten my resignation. I intervened with Hitler against gauleiters and Party officials.

I believe that it is remarkable that the pogrom of November 1938 could only take place after I had resigned from my office. Had I still been in office, then that pogrom doubtlessly would not have occured.

Q The witness Gisevius has already testified that in the course of developments from 1933 on, basic changes took place in the judgment of Adolf Hitler. I ask you now, because this is a very important question, to give the Tribunal a thorough description about the attitude and the judgment of Adolf Hitler in the course of the years--as exhaustively as possible but also as briefly as possible.

A In former statements which I have made here, I have spoken of Hitler as a semi-educated man. I still stand by that. He did not have thorough school education, but he read very much later. He acquired a large knowledge, and he juggled with that knowledge in an extraordinary manner in all debates and discussions and speeches.

No doubt he was a man of genius in certain respects. He had intuition. He had ideas which nobody else would have had and which were sometimes useful to get out of great difficulties with astounding simplicity.

He was a mass psychologist of really diabolical genius. While I myself and several others--for instance, General von Witzleben--while we were never captivated in personal conversations, still he had a very peculiar influence on other people, and particularly--in spite of his ill-sounding, screeching voice--he was able to whip large masses in tremendous auditoriums to frenzy.

I believe that originally he was not only filled with evil tendencies; but doubtless believed to want the good, but gradually he fell victim to

H0119-0084

the same charm which he exerted on the masses, because whoever starts to seduce the masses becomes finally seduced by them, and so that relation between the leader and the led, in my opinion, contributed to bringing him onto the wrong way of mass instancts, from which every political leader should make sure to keep away.

One more thing was admirable in Hitler. He was a man of unbending energy, of a willpower which overran all obstacles, and only these two qualities--mass psychology and energy and willpower--to these two factors, Hitler in my opinion owed the fact that up to 1940 and then later, almost fifty per cent of the German people were finally following him.

What else do you want me to say?

Q Well, it was most important for me to understand your own change of opinion. You have said that the break between you and Hitler was based upon the Fritsch incident. You are the best witness to give us an explanation about your own development, your own change of mind.

A Excuse me. I think there is a basic error here. That is as if I had been a convinced adherent of Hitler at some time. I have never been that. On the contrary, I only, inspired by a concern for my people and my country after Hitler came to power, put myself at his disposition in order to be able to bring that vital power into a regulated channel. Therefore, I could not permit a break with Hitler at that time. A break could only have occurred if I had been closely connected with him before. As far as my own mind was concerned, I was never closely connected with Hitler, but was in the cabinet because he was in power, and I considered it my duty to utilize my capacity in the service of good for my people.

Q All right, but what conditions and what factors caused you to embark upon that activity which Gisevius has described to us?

A My more serious criticism of the Hitlerite attitude started at the time of the so-called Roehm Putsch on 30 June 1934. At that time--and I should like to point out first that things occurred quite unexpectedly--at that time I had told Hitler, "How could you have these people just simply killed off? Under all circumstances, there should have been at least some sort of special court." Hitler, if I may say so, just took these state-

H0119-0085

ments and mumbled something about "revolutionary necessity", but he did not contradict me.

Then in the course of the second half of the year 1934 and the first half of the year 1935, I noticed that my opinion that Hitler did not approve of what I thought could be considered revolutionary excesses and that he was really willing to bring these forces into a regulated atmosphere, was wrong. Hitler did nothing to stop the excesses of individual Party members or Party groups. At all times, probably he had the idea which recently--or I believe today--was mentioned by a witness that the SA have free play for once. That is to say, to the masses of the Party, he gave some things, so to speak, as a means of recreation, things which in a regular state are absolutely incompatible, and that suspicion on my part grew in the course of the months, and then, for the first time, in May 1935, I saw cause to bring these matters up with him. I don't know if you want me to discuss these things now, but I am ready to tell you about them.

Q I just want to make sure that the Tribunal should hear from you how you changed your mind about Hitler from your original point of view all the way to becoming a conspirator against Hitler.

A Well, the decisive change came about by reason of the Fritsch incident. The very moment when I had to recognize--and, of course, that did not come with lightening speed but in the course of weeks and months it crystallized--the moment when I had to recognize that Hitler intended a war or at least was not ready to do everything to avoid a war, that moment I told myself that that was a tremendous danger which was raising its head and that only violence could crush violence.

Every opportunity of political propaganda within the German people was excluded. There was no freedom of assembly. There was no freedom of speech. There was no freedom of writing. There was no possibility to discuss things in even a small group. From A to Z one was suspected, and every word which you said in a group which consisted of more than two persons was dangerous. There was evidently only one possibility against that terror which excluded every democratic criticism, and that was to meet this situation with violence.

H0119 - 0086

And that is how I found out that in the face of Hitler's terror only an attempt like a putsch, a coup d'etat, a final attempt at assassination was possible.

Q And is it right to say that the decisive factor to change your mind occurred during the so-called Fritsche crisis?

A The Fritsche crisis, aside from the inherent lies which appeared in all actions and affairs of the Party members -- the Fritsche crisis gave the absolute assurance that here a basic and principal change was occurring in the political leadership, by the fact that within about ten days Blomberg was removed, Fritsche was removed, Neurath was removed and that Hitler not only called a man who was so incapable in foreign politics as Ribbentrop but also that he in his speech soon thereafter in the Reichstagannounced that from then on rearmament had to be increased. Consequently the Fritsche crisis was the decisive factor to change my opinion and to confirm my assurance that every attempt at a peaceful development would have to fail and only violent means have to be used.

DR. DIX: On account of the importance of the Fritsche crisis may I again quote from the documents? The document which I already wanted to produce on the occasion of the interrogation of Gisevius and which I could not do because the document was not available. The same statement about the Fritsche crisis which Gisevius and Dr. Schacht has now made was also made by a smart officer with good political knowledge abroad. May I point to Exhibit No. 15 of my document book? That is page 41 of the English text, and 35 of the German text. It is a bienniel report of the Chief of Staff of the United States Army to the Secretary of War over the period 1 July 1943 to 30 June 1945. I quote one sentence from it:

"The history of the German High Command from 1938 on is one of constant conflict of personalities in which military judgment wasincreasingly subordinated to Hitler's personal dictates. The first clash occurred in 1938 and resulted in the removal of von Blomberg, von Fritsche and Beck and of the last effective conservative influence on German policy."

So here also that change has been clearly understood. In conclusion I would like to ask a question of Dr. Schacht.

Q Were you only disappointed by Hitler or did you consider yourself deceived by Hitler at that time? Will you answer that?

H0119-0087

A The answer is that I never felt disappointed by Hitler, because I had not expected more of him; from a knowledge of his personality it was what I could have expected. But I certainly considered myself deceived, because whatever he had previously promised to the German people and thereby to himself, he has not kept afterwards.

He promised equal rights for all citizens, and without regard to their capabil ities his adherents got privileges before all other citizens. He promise to put the Jews under the same protection which foreigners had. He deprived them of every legal protection. He had promised to fight against political lies and together with his minister, Goeb bels, and by himself, he has never done anything else but disseminate political lies and political fraud. He promised to the German people to maintain the principles of positive Christianity and he tolerated and sponsored measures by which institutions of the Church were damaged and insulted. Also, in the foreign political field he has always spoken against a war on two fronts -- and then undertook it himself. He has broken all laws of the Wiemar Republic, for the enforcement of which he had taken the oath. He mobilized the Gestapo against personal liberties and freedoms. He made impossible all free communication of thought and ideas. He released criminals and put them in his service. He has done everything in the way of not keeping his promises. He deceived the world, Germany and me.

Q Let us return to the period of the coming to power, the seizure of power. In November, 1932, you stated publicly that Hitler would become Chancellor, Reich Chancellor. What made you make that statement?

A That statement was caused by the fact that Hitler in the July elections of 1932 got 40 per cent of all seats in the Reichstag for his party. That is a result of an election, if I am informed correctly, which had not occurred since 1871, since the Reichstag was founded; and for me, for myself as a democrat and a follower of the democratic parliamentary government, it was inevitable that that man now was to be put in charge of forming a Cabinet. I could not have seen any other possibility.There was only one alternative and that was a military government. But the Cabinet of von Papen already had had some special authority and still could not stand against the parliament, the Reichstag; and when Schleicher attempted to establish a military regime without the participation of the Nazis he failed after just a few weeks, because he had seen himself put before the alternative either to start a civil war or to resign.

H0119-0088

Hindenburg and at first Schleicher as well, although at the end he might have thought differently about it -- but Schleicher was also of the opinion that the Armed Forces could not stand a civil war, and Hindenburg was certainly not ready to risk a civil war or to tolerate a civil war. But he saw himself forced by necessity to put the reins of Government into the hands of the man who, thanks to his propaganda and the incapability of all preceding governments, and also thanks to the policies of the foreign countries toward Germany, had won the majority of German votes.

Q You know that the Prosecution accuses you of having assisted Hitler and the Nazi regime to come into power. I want to ask you now whether between the July elections, 1932, and the day when Hitler became chancellor -- that is the 30th of January, 1933 -- you had spoken publicly for Hitler.

A I want to state at first that Hitler's power in July, 1932, Hitler's climax of power, had been reached by gaining 232 seats in July. Everything else that followed is only a consequence of that Reichstag election during that entire period -- with the exception of the one interview you mentioned, I have not said any more than that Hitler would become Reich Chancellor, and according to democratic rules. I repeat that during that entire period I have not written or spoken a single word publicly for Hitler.

Q During that period, on the occasion of the reorganization of the Reich Cabinet, did you speak to Hindenburg about the Chancellorship?

A I have never in any way contributed by conversations with anyone of the competent gentlemen, be it Hindenburg, Meissner or anyone else, to exert any influence in favor of Hitler, and I had nothing to do and did not participate in any way in the nomination of Hitler to Reich Chancellor.

Q The Prosecution accuses you in that connection, of putting the prestige of your name -- in November 1932 -- at the disposal of Hitler, and he refers to a statement made by Goebbels in the Hitler's book, "From the Kaiserhof to the Reich Chancellery." What can you say about that?

H0119-0089

A I would never have expected that, if not the truth, Goebbels could be mobilized against me here, but it is not my fault if Mr. Goebbels made a mistake.

Q The Prosecutor also states that you provided the funds for the Reichstag elections of the 5th of March, and there is an affidavit by von Schnitzler, EC-439, US Exhibit No. 618. What do you have to say about that? It is our Exhibit No. 3 of our document book, page 11 of the English copy.

A In February of 1933, at the time when Hitler was already Reich Chancellor and the elections of the 5th of March were to be a new basis for the forming of the government, Hitler asked me whether at the occasion of a meeting which Goering was to call, and which would have the purpose to raise funds for the elections, whether I would not take the role of the banker for them. I had no cause to refuse that. The meeting took place on the 26th of February.

And now the Prosecutor has presented it so as if during that meeting I had pleaded for an election fund. The Prosecution, however, has presented a document, D-203, which apparently is a record of the election speech made by Hitler on that evening.

Q May I interrupt you and may I call to the attention of the Tribunal that it is our Exhibit No. 2, on page 9 of the English text. Excuse me. Please will you kindly go on.

A D-203. That document closes with the following sentence:

"Goering then led over very cleverly to the necessity that other circles not taking part in this political battle should at least make the financial sacrifice so necessary at this time."

Therefore, from that report which was submitted by the Prosecution, it can be seen very clearly that not I have pleaded for funds, but that Goering had pleaded for funds. I have only administrated these funds later.

And, in the affidavit by Schnitzlery, document EC-439, page 11, the Prosecution has carefully left out those decisive passages by which I would not be accused. I quote the two sentences, therefore, as follows: I'm sorry I have to quote in English because I have only the English text in front of me.

H0119 - 0090

"Dr. Schacht opposed to the meeting the raising of an election fund of, as far as I remember, three million Reichsmarks. The fund should be distributed between the two 'Allies' according to their relative strength at the time being. Dr. Stein suggested that the Deutsch Volkspartei should be included which suggestion, when I rightly remember, was accepted. The amounts which the individual firms had to contribute were not discussed."

It can be seen that that election fund was collected, not for the Nazi Party only, but for the Nazi Party and the Allied nationalistic group, in which, for instance, were also von Papen and Hugenberg, and during that very meeting it was extended to a third group, the German Volkspartei. That was, therefore, a collective fund for thoseparties who went into the election campaign and not just a Nazi fund.

Q The Prosecution has mentioned those laws which, after the seizure of power, had been issued and which established the totalitarian rule of the Nazis. We have to consider the question of your personal responsibility as a later member of the cabinet and, therefore, I have to discuss these laws with you in detail; but I should like to recall to you, first, the Enabling Act; then the law about the prohibition of parties and the establishment of one party; the law about the unity of party and state; the expropriation of the SPD and the trade unions; the law about the legal limitation of professions for Jews; about the peoples' court; the law about the legalization of the murders of 30th June 1934; and about the murder of the offices of the Reich Chancellor and the Reich President in the person of Hitler. How is it your personal responsibility in your capacity as member of the cabinet with respect to these laws?

H0119-0091

A When all these laws were issued I was not even a Cabinet member. I had no voice in the Cabinet. I had a voice in the Cabinet only after the first of August 1934, at which time the last disastrous law or merger of the offices of Chancello and President was issued. And I didn't have anything to do even with that law.

Q I don't know whether I mentioned it, but I want to make sure there is no misunderstanding. It doe not cover the merger of the offices.

A Of course not, because I was not even in the Cabinet. I had received my nomination as the minister on the 3rd or 4th of August. I did not take part in th deliberation of that law. I did not vote for it, and I have not signed it.

Q But it says here in the trial brief that you were a member of the Reichsta Then as a member of the Reichstag you would have voted for these laws, because after 1933 there were only unanimous votes in the Reichstag.

A Yes. Unfortunately, there is much in the trial brief which is not correct. During my entire life I was never a member of the Reichstag, and one look into th Reichstag Handbook could have enlightened the Prosecution about the fact that als during that time I was not a member of the Reichstag.

With all these laws I neither had anything to do as a member of the Cabinet o the Reichstag, because I had been neither during that time.

Q Did Adlof Hitler ever take an oath on the Weimer Constitution?

A Of course Hitler took an oath on the Weimer Constitution when he became Reichs Chancellor, to Reichspresident Hindenburg. During that oath he swore that he would not only respect the constitution but also all laws unless they were changed legally, that he would observe them and protect them.

Q Was the Weimer Constitution ever constitutionally repealed, formally repea

A No, it has never been repealed?

Q Was the Fuehrer principle put down anywhere legally?

A The Fuehrer principle was not put down by a single law, and the attempt which was made later to reduce the responsibility of the individual ministers-- and that hits me, also--by saying that it has become a common law, that is not correct. The responsibility of the ministers continued to exist, my own also, and only the terror and the violent threats of Hitler kept them down.

Q The question whether the Enabling Act was referred to the Fuehrer or to th Cabinet, whether the Cabinet after 1933 was a National Socialistic or a combinati of the parties of the Reich, or the question of the development of Hitler to an

H0119 - 0092

autocratic dictator, all these questions I have put to the witness Lammers. I do not wish to repeat them, but do you have to add anything to what Lammers had testified about?

A I made only two notes. In the Reichstag speech of Hitler on the 23rd of March 1933, he mentioned "It is the sincere desire of the National Government." end of quotation. So we see it is not the National Socialist Government, as it was always said later, but the National Government.

And another one. In the proclomation to the armed forces which the War Minist von Blomberg issued in February 1933, the sentence is included: "I assume the office with the firm will lead the Reichswehr according to the testament of my predecessors as a means of power superior to the party and directly connected with the State."

This and other factors convinced me that we are confronted here with a natior coalition cabinet, whereas Hitler, by his methods of terror and violence, formed a pure Nazi dictatorship out of it.

Q That quotation mentioned by Schacht is in our document book, Exhibit Numbe 4, page 14 of the English text.

THE PRESIDENT: The Tribunal will adjourn.

DR. DIX: Mr. President, may I ask a question? Do we continue tomorrow, because tomorrow is the first of May, and there is some amount of uncertainty whether there is a session tomorrow or not.

THE PRESIDENT: Yes, the Tribunal will go on tomorrow.

(The Tribunal adjourned until 1 May 1946, 1000 hours.)